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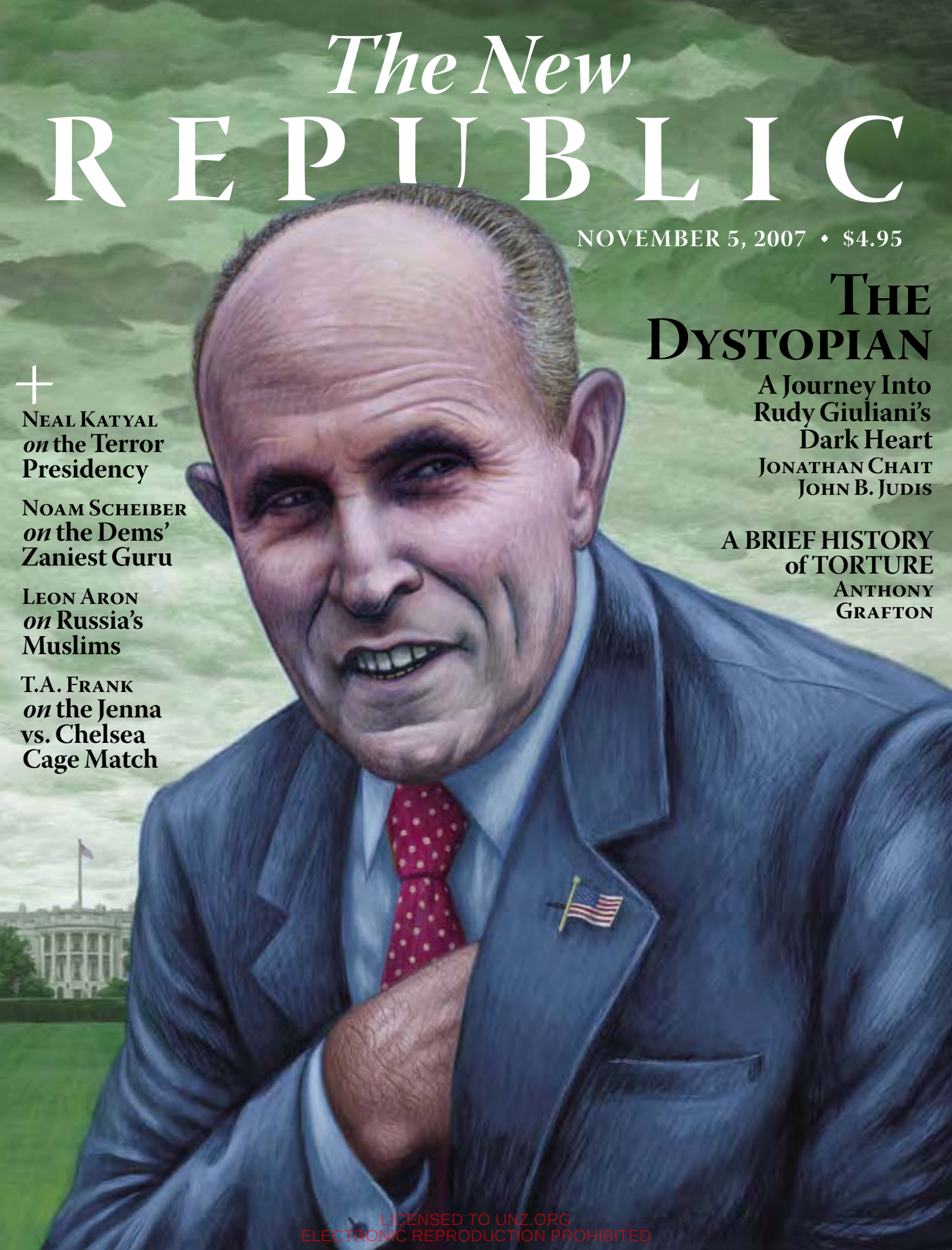

The Dystopian

A Journey Into Rudy Giuliani's Dark Heart

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+

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THE NEW REPUBLIC

A Journal of Politics and the Arts

VOLUME 237 WASHINGTON, NOVEMBER 5, 2007 NUMBER 4,824

Clueless

Forget "liberal": Given a few more weeks like the ones congressional Democrats just endured, and the dreaded L-word they'll be struggling to shake is "losers." Children's health care, government spying, the atrocities of the Ottoman Empire, the toxic ramblings of Representative Pete Stark—you name the issue, Dems managed to get their clocks cleaned in the p.r. battle with a fractured Republican minority led by a lame-duck president only marginally more popular with the American public than Chinese toy manufacturers.

Indeed, watching Democrats' political advantage dissolve virtually overnight has been a bit like sitting through one of those Very Bad Day comedy movies, in which the hapless hero loses his job, his wife, and his faithful dog all before dinnertime, getting himself arrested for drunk and disorderly conduct in the process. On October 17, backed into a corner by the fancy procedural footwork of Republicans, House Democrats were forced to pull legislation aimed at scaling back the expanded wiretapping powers Congress granted President Bush in August. That same day, Speaker Nancy Pelosi felt compelled to walk back her pledge to call a House vote on whether the Ottoman Empire's slaughter of Armenians during World War I officially qualified as genocide—a matter of little interest to American voters but of such intense concern to our Turkish allies that even many Democrats had abandoned Pelosi on the issue. The next day, Pelosi's caucus also failed to override President Bush's veto of the bill reauthorizing and expanding the wildly popular S-CHIP program that provides health care to poor children. More galling still, in the heat of the S-CHIP debate, California Democrat Pete Stark let loose a tirade about how Republicans refused to fund health care but were content to let our military men and women be shipped off to Iraq to "get their heads blown off for the president's amusement." As a result, rather than spending their post-vote hours spotlighting the uncompassionate conservatism of today's GOP, Democratic leaders found themselves beset by Republican calls for Stark's head. All told, it was enough to make you long for the comparatively carefree days of September's "General Betray Us" scandal.

Not to kick a party when it's down, but what in God's name is wrong with congressional Dems? It's one thing to lose all your battles when you're the beleaguered minority crushed beneath the boot heel of a well-liked commander-in-chief and a power-mad congressional majority. But, when you can't manage to win even one lousy spin cycle under the current politically felicitous circumstances, voters are going to start wondering if you simply don't have what it takes to govern—if perhaps you really do deserve that 25 percent approval rating.

To be fair, the party is in a tough spot, having essentially regained power on a promise to get us out of Iraq, only to find that ending a war isn't exactly an easy task. And some Dems are whining about the continued difficulty of getting anything done when the party has only a slim majority in the House and an even narrower edge in the Senate—while dealing with a president who doesn't seem to understand that he is supposed to quietly sit out the rest of his term in the White House gym. If the Republicans aren't willing to play nice, what's a well-intentioned Democrat to do?

Grow a pair—that's what. Whatever concrete challenges Democrats face, there is no excuse for the party being repeatedly, consistently outgunned in the area of pure public relations. In part, this can be blamed on Dems' talent for picking the wrong battles. Yes, genocide is a terrible thing. But sticking one's finger in the eye of a major (and temperamental) Muslim ally for the sake of symbolically denouncing atrocities committed nearly a century ago by a political entity *that no longer exists* suggests a troubling inability to prioritize. Worse yet, when a majority of Armenian-Americans reside in the home state of the House speaker, it opens one up to charges of naked pandering.

Equally disturbing, you get the sense that Democrats still don't grasp the extent to which Republicans regard congressional politics as war. Or maybe they do get it (one would hope so, after the past few years) but lack the stomach for the fight, whether because of some high-minded notion of congressional comity or some self-congratulatory sense of their superior character. Either way, they need to wake up and smell the napalm. House Republicans are proudly committed to thwarting Dems at every turn, and their success in tying up the wiretapping bill was no fluke. Minority members have assembled a working group known as the Floor Action Team—or FAT—charged with

David Cowles

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learning how to use the House's most arcane rules to derail legislative progress. Classy? Not especially. Effective? Clearly.

It's not as though Dems are completely clueless. In the midst of her Very Bad Week, Pelosi sent a letter to her caucus announcing a p.r. push to improve the party's image before the accelerating presidential race pushes Congress off stage. Hoping to remind the public of all the things the 110th has achieved thus far—ethics reform, a bump in the minimum wage, an increase in student aid—House Dems are being instructed to hold more town-hall meetings and press conferences, as well as to up the flow of e-mail and snail mail to constituents. Majority Whip James Clyburn will track which members are the most enthusiastic cheerleaders.

But the next few weeks are likely to bring more heated confrontations than outright victories. (Bush has, among other things, vowed to veto upcoming spending bills.) And, unless Dems get better at the crucial spin battles—especially in cases when things don't break their way—they aren't going to have a majority to squander for very long.

Hot Heads

CONGRATULATIONS to Al Gore, whose Nobel Peace Prize—shared with the Intergovernmental Panel on Climate Change (IPCC)—is certainly well-deserved. Unfortunately, the festivities have overshadowed some of the past month's less cheery climate news.

Last week, researchers at the University of East Anglia announced, in what they called a "tremendous surprise," that the world's oceans are no longer absorbing as much carbon dioxide as they used to—a development that would vastly accelerate the rate of global warming. If that wasn't scary enough, worldwide carbon dioxide emissions seem to be growing much faster than had been assumed in even the IPCC's worst-case scenarios, according to a study just published by Stanford's Chris Field. And that's not to mention the recent news about Arctic sea ice, which appears to be melting more rapidly than many scientists expected.

Recently, in *The Washington Post*, Danish political scientist Bjørn Lomborg argued that climate change was nothing to fear and that the effects—rising sea levels, species extinction, changes in rainfall patterns—were likely to be mild. Although that piece received prominent play in the paper's "Outlook" section, readers would be wiser to trust Judith Curry, one of the nation's top climate scientists, who penned a scathing reply a few days later. In addition to noting that Lomborg played fast and loose with scientific evidence, Curry pointed out that it is foolhardy to dismiss the possibility of "catastrophic outcomes" just because there is a relatively small probability they will occur. Indeed, the past month's worth of climate news makes one wonder if the probabilities are really all that low. While global warming skeptics often scoff at the IPCC's projections on the grounds that climate science can be uncertain, that uncertainty, to the extent it exists, cuts both ways: Things may ultimately turn out to be better than the IPCC predicts, but they also could turn out to be worse.

To a large extent, carbon emissions are growing so quickly because China and India are booming. Any attempt to mitigate global warming will have to address that fact. But there is still much room for improvement here at home. A recent *Post* piece brought the striking news that the Washington, D.C., area alone belches out more carbon than countries like Sweden, Denmark, Switzerland, or Finland, all of which have more people. (Sweden has twice as many people yet emits 80 percent as much carbon dioxide.) What's more, Washington-area residents are actually some of the "greener" folks in the country, producing 13.2 tons of carbon per capita each year, compared to a national average of 20 tons.

The good news: Politicians seem increasingly aware that action is necessary. Just this month, Joe Lieberman and John Warner introduced an emissions-reduction bill in the Senate—a "centrist" measure that should get bipartisan support. The bill is far from perfect: Environmental groups have rightly criticized it for setting too-loose targets for curbing emissions. And the bill gives away too many tradable emission credits for free, offering a windfall to certain industries—such as Big Coal—and giving them too little incentive to reduce pollution and innovate. Democrats who care about global warming will have to fight hard to improve it. Still, the proposal is a step in the right direction—and, in a month full of bad news, hardly unwelcome. ◆

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THE NEW REPUBLIC (ISSN 0028-6583), Vol. 237, Number 9, Issue 4,824, November 5, 2007. (Printed in the United States on October 26, 2007.) Published bi-weekly (except for skipped publication dates of April 6, July 6, August 3, November 23, and December 7, 2007) at 1331 H Street, NW, Suite 700, Washington, D.C. 20005. Telephone (202) 508-4444. For advertising inquiries, please contact Lauren Sims at (202) 508-4444. Yearly subscriptions, $79.97; foreign, $119.97 (U.S. funds); Canada, $99.97 (U.S. funds). Back issues, $8.00 domestic and $10.00 foreign/Canada (includes postage & handling).

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Periodicals postage paid at Washington, D.C., and additional mailing offices. Rights and permissions: fax (202) 628-9383. Indexed in Readers' Guide, Media Review Digest. For hard copy reprints, call (202) 508-4444. Microform, Canadian Periodical Index, and CD-ROM are available through ProQuest, 300 N. Zeeb Road, Ann Arbor, MI 48106. Telephone (800) 521-0600. Postmaster: Send changes of address to The New Republic, P.O. Box 420235, Palm Coast, FL 32142-0235. Member, Audit Bureau of Circulations. Send letters and unsolicited manuscripts to letters@tnr.com. **For subscription inquiries or problems call (800) 827-1289 or visit our website at www.thenewrepublic.com.**

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Will Money Solve Africa's Development Problems?

No.

Not as long as there are issues such as prolonged violent conflict, bad governance, excessive external interference, and lack of an autonomous policy space. Alone, money cannot solve Africa's development problems. Proof, if any was needed, is the fact that many of Africa's natural resource-rich countries score very low on human development indicators.

Africa's development challenges are multifaceted. Colonial history still looms large. Money cannot undo that history. Five decades after independence we are still grappling with building

the nation-state. On the one hand, whole nations were split up by artificial boundaries to form separate independent countries, while on the other hand, several nation-states were lumped together within these same artificially delineated borders. To this already complex picture was added the impact of Cold War rivalries among major powers, which extended to the African theatre.

No amount of money can build the damaged trust between a government and its citizens…

CONTINUED ONLINE.

Dr. Donald Kaberuka is the president of the African Development Bank and was formerly minister of finance of Rwanda.

Yes.

But only if the money comes as investment. Africa doesn't need aid from governments

and international agencies. Over the last 40 years, aid to developing countries has reached $2.6 trillion, 25% of which has gone to sub-Saharan Africa. It has notably failed to eliminate poverty. Philanthropy should have only a limited role — for disaster relief — and helping policy makers promote good governance, the rule of law, and property rights. What Africa needs in order to overcome its problems is the same as that of any other region or country: flourishing enterprises that provide employment and create wealth.

This is true even in my field — education. Less than 60% of the adult population of sub-Saharan Africa can read and write with understanding. And for every 100 men, only 76 women are literate.

Like a raging bonfire, adult illiteracy is fuelled by lack of schooling, or poor quality schooling…

CONTINUED ONLINE.

Professor James Tooley is president, The Education Fund, Orient Global.

I Thought So…

But now I don't. There is that threadbare maxim: If you hold a hammer in your hand, every problem looks like a nail. What happens, then, when all we hold in our hand is a checkbook?

Checkbook Development suggests that poor nations cannot build the skills necessary to solve their own problems. There is, however, a notable exception.

The President of Rwanda, Paul Kagame, called me to his office to assist him to build private sector capacity and improve export competitiveness. I informed him that it would not be possible for the amount of money and time he budgeted to do my job and train Rwandans at the same time. He told me the story of when he had finally

accumulated enough money to provide back pay for his troops who were fighting to end the genocide. He asked them if he could use the money, instead, to purchase helicopters to help end the war sooner. Not a single soldier objected…

CONTINUED ONLINE.

Michael Fairbanks is the co-founder of OTF Group, and the SEVEN FUND, which provides grants for enterprise solutions to poverty.

Only If…

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Big money to governments in Africa, as it does elsewhere, empowers bureaucracies, promotes statism, and weakens government incentives to increase tax revenues through economic growth. Furthermore, economic assets are often kept in the hands of the state, leading to monopolies, stagnation, and the opportunity for extortion. As a bitter cherry on top, the more the red tape increases, the more discouraged entrepreneurs get and a vicious cycle ensues…

CONTINUED ONLINE.

Iqbal Z. Quadir is the founder of GrameenPhone in Bangladesh, and founder and executive director of the Legatum Center for Development and Entrepreneurship at the Massachusetts Institute of Technology.

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Economaniac

The crazy Rudy you don't know.

JONATHAN CHAIT

Most of us have come to know Rudy Giuliani as the candidate of choice for Republicans who like President Bush but wish his Middle East policy were a little less restrained or that he invoked September 11 a bit more frequently. But there's another, less well-known aspect to Giuliani: He is the ne plus ultra of the economic right.

Compared to other Republican presidential contenders, Giuliani identifies himself as a "supply-sider" in public more aggressively and has mopped up more financial support from oil, gas, and other bastions of the financial right. But economic right-wingery has conquered the GOP so thoroughly that there's not much Giuliani can do to stand out, platform-wise. What truly sets him apart is the apparent depth of his convictions, and the extent to which he is willing to follow the right's philosophical premises through to their grim conclusion.

Consider Giuliani's position on health care reform. Like most Republicans, he rails against socialist HillaryCare. Like many Republicans, Giuliani's proposed health care reform is to provide a tax deduction for individual health care. Of course, the value of a tax deduction is proportionate to your income level. If you're in the top tax bracket, you could deduct 35 cents of every health care dollar you spend. If you don't earn enough to owe income taxes, or if you have a pre-existing condition and can't afford coverage, a tax deduction would probably be worthless. Giuliani's tax deduction remedy would therefore do virtually nothing to cover the uninsured.

Now, many Republicans who feel obliged to have some kind of health care "plan" endorse the health care tax deduction. Most just don't care very much about the uninsured. Giuliani, by contrast, is not indifferent to the plight of the uninsured. He actually seems to revel in it:

> I don't like mandating health care. I don't like it because it erodes what makes health care work in this country—the free market, the profit motive. A mandate takes choice away from people. We've got to let people make choices. We've got to let them take the risk—do they want to be covered? Do they want health insurance? Because, ultimately, if they don't, well, then, they may not be taken care of.

TRB
From Washington

Where does this bizarrely punitive view of the health care system come from? It apparently arises from Giuliani's experience with welfare reform, which he constantly likens to health care. "You don't start off by promising you're going to insure everybody," he warned earlier this year. "It's the same mistake the Democrats made with welfare." So providing health coverage to the uninsured will make them irresponsible.

Of course, this analysis is insane, unless you think most of the uninsured lack coverage because they'd rather splurge at Best Buy than spend money on health insurance. Alas, this appears to be exactly what Giuliani believes. "[The uninsured] may be buying a television, … they may be buying a cell phone," he said at last week's debate.

Giuliani also thinks that insulating people from the costs of sickness or injury will make them more likely to get sick or injured. "There is no incentive to wellness," he complains. Perhaps you thought wellness was an incentive in and of itself. Obviously, you lack Giuliani's grasp of free-market homilies. As Giuliani understands, when you don't pay the cost of a good, you have every incentive to consume more of it. That's why those of us with insurance are always borrowing handkerchiefs from people with communicable diseases or juggling steak knives barefoot.

Some think Giuliani's extreme-right economic views are a form of pandering, to compensate for his pro-choice, pro–gay rights beliefs. But his economic right-wingery seems to flow from a deep-seated punitive impulse, which he has transferred from the shiftless New York City underclass to vast swaths of the population. Giuliani has echoed the language of economic libertarianism with more frankness, and less pretense of compassion, than any recent Republican presidential candidate.

That Giuliani so closely embraces the values of economic conservatives no doubt accounts in part for their intense support for his campaign. But just as important is the historic opportunity he represents—to give them, at last, unfettered primacy among the factions of their party.

Social conservatives have reacted to this threat with confusion and panic. For years, they have accepted their subordinate position within the party—Republicans expend political capital only on economic priorities, never on social priorities—with little complaint. Among their consolations has been an understood informal requirement that GOP presidential nominees share their beliefs, or at least profess to. (Supply-sider Steve Forbes, who now supports Giuliani, had to undergo a dramatic conversion to social conservatism before his 2000 campaign.) To now nominate a candidate who is avowedly pro-choice, among other social heresies, would strip away their last fig leaf, making the economic wing's de facto control of the party explicit. It would be the equivalent of the barbarian Odoacer crowning himself Emperor of Rome in 476.

Giuliani, of course, is careful not to antagonize social conservatives. But his campaign is in fact an attempt to define social conservatism out of the Republican platform. While most Republicans define their party's values by invoking three parts—small government, strong military, social conservatism—Giuliani only mentions the first two. A recent editorial in the pro-Giuliani *New York Sun* proposed a list of GOP values. Item one was a belief that tax cuts make revenues rise. Social issues did not make the list at all. Last winter, Giuliani told a crowd at the Hoover Institution that the GOP must redefine itself around economic issues—health care, school choice, taxes—as the "Party of Freedom."

Of course, Giuliani's vision of "freedom" is not necessarily about liberating the human spirit. "[F]reedom is not a concept in which people can do anything they want, be anything they can be," he once explained as mayor. "Freedom is about authority." It's also about the freedom to inherit a vast fortune tax-free, or the freedom to get sick and die. Or, as another philosopher of the topic, Janis Joplin, once put it, "Freedom's just another word for nothing left to lose." ◆

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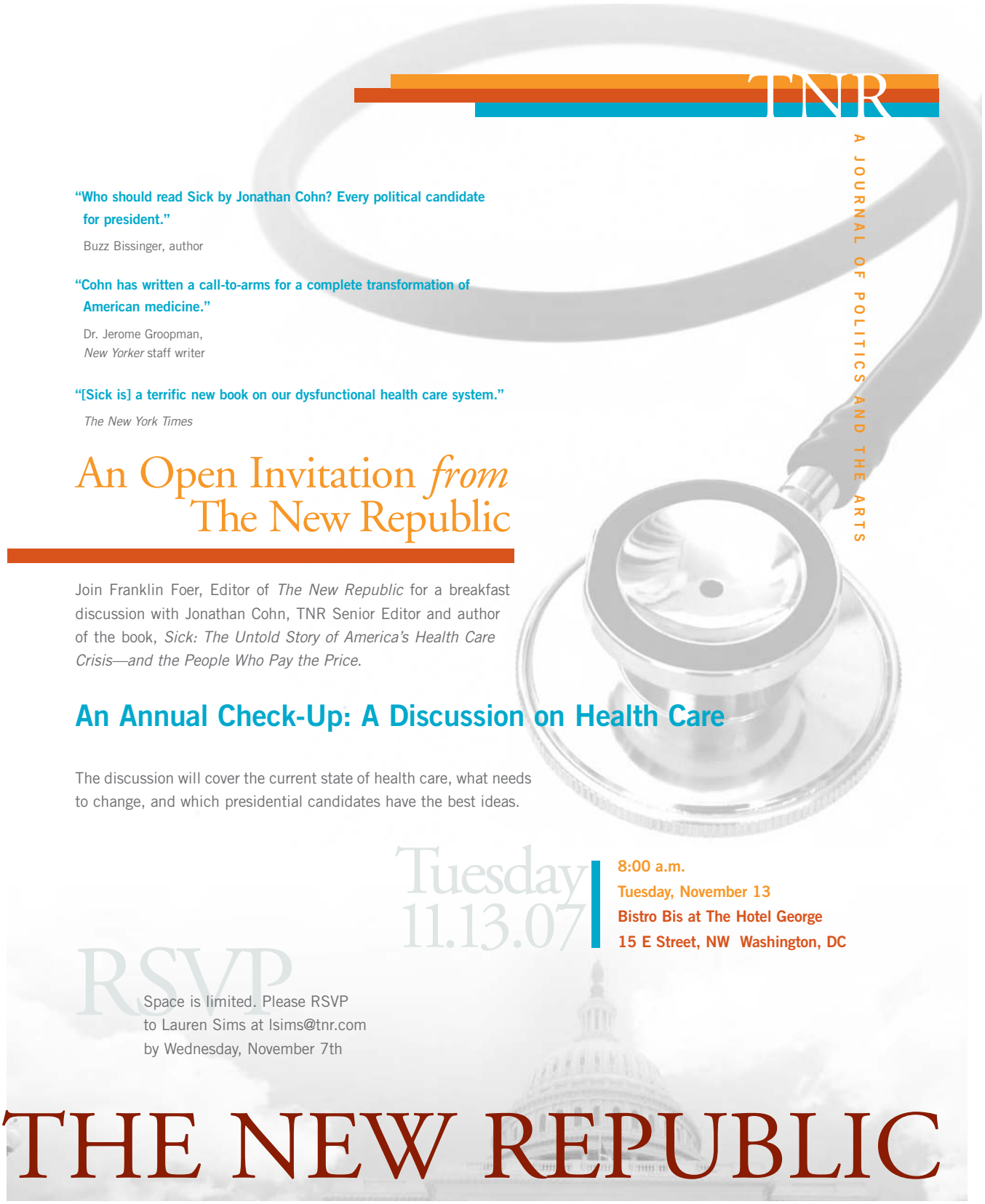

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The Mall

Buddy System

A corrupt mayor's kitschy comeback.

Providence, Rhode Island

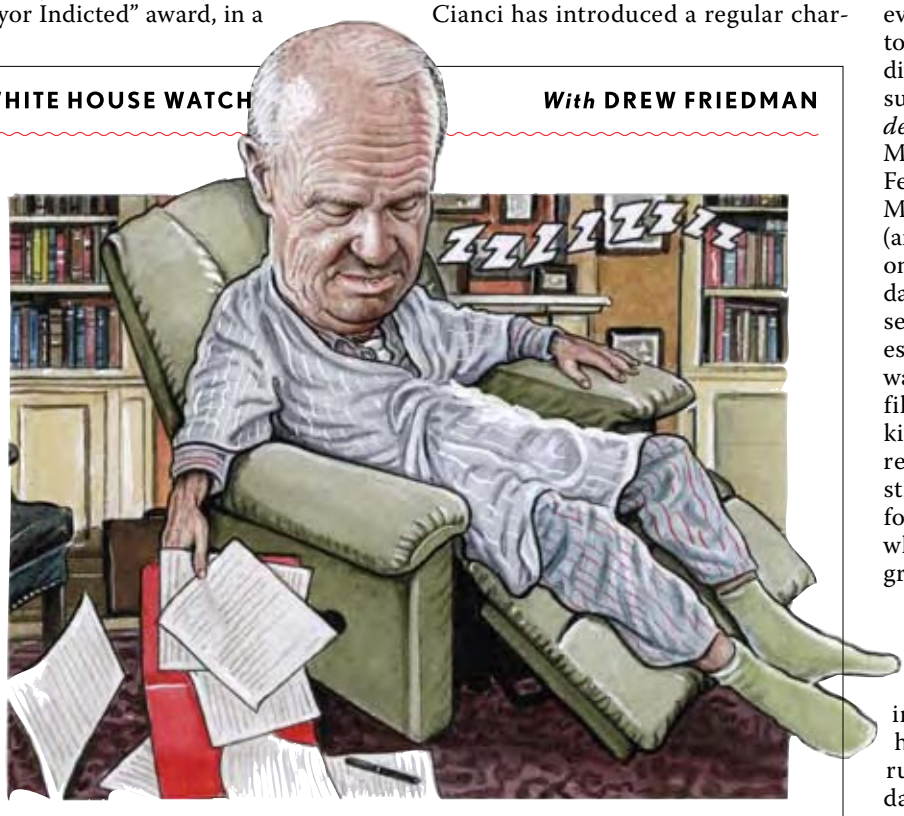
Hanging in the plaque-adorned hallway of WPRO-AM, the local talk-radio station, is a first-place local news award for a 2002 series called "Mayor Indicted." The series delved into the exploits of Providence's longest-serving mayor, Vincent Albert "Buddy" Cianci Jr., who was found guilty of conspiring to extort $1.5 million worth of bribes from city contractors and many others in a racketeering scheme that the FBI labeled "Operation Plunder Dome." Cianci was convicted and went to federal prison for four-and-a-half years, but, these days, he's easy to find: For three hours every weekday, he sits directly across from the "Mayor Indicted" award, in a cramped WPRO-AM studio, taping the "Buddy Cianci Show."

Politicians generally respond to scandal and public disgrace in two different ways. There's the Bill Clinton school—countless hangdog apologies and pleas for a second chance—and the Marion Barry school—lashing out at critics and painting oneself as a martyr persecuted by the establishment. Cianci, however, has pioneered the third way of scandal rehabilitation. Since his May release from prison, the 66-year-old former mayor has been reveling in his bad-boy image. His producer plays Johnny Cash's "Folsom Prison" to introduce the show after commercial breaks. Cianci and his callers frequently refer to his "vacation," which, his producer helpfully explains to me, "means jail." And, via sound effect, Cianci has introduced a regular character, a barking dog named Rico (after the Racketeer Influenced and Corrupt Organizations Act, under which Cianci was convicted).

The new Buddy—wisecracking, unplugged—is indistinguishable from the old, except he now bounds about sans his infamous toupee (which he calls a "squirrel"). He doesn't spend his days on the radio bitterly attacking his enemies or flagellating himself for his misdeeds. Instead, he's full of unapologetic one-liners—if he was racketeering, at least he was getting things done. (Cherry Arnold, who made a documentary about Cianci, told me his "management style" is characterized mainly by the attitude of "get it done and get it done now.") Instead of protesting his innocence, he prefers to focus on building the Buddy brand, even carrying around a giant calculator to keep track of his profit margin. In addition to the radio show, he has been the subject of a book, *The Prince of Providence*, by *Providence Journal* reporter Mike Stanton, and a New York Fringe Festival musical, "'Buddy' Cianci: The Musical." Cianci is writing a memoir (and plans to write two other books: one on "funny things" and one "more of a didactic kind of a book"), in which he says several publishers have expressed interest, and he tells me that a major studio wants to option his life story for a feature film. And, even if all this corruption kitsch fails to bring in the cash that he refers to as "dead presidents," Cianci still has his day job: He's a consultant for the luxury condominium complex where he lives with his daughter and grandchildren.

Even before he became the subject of scandal, Cianci demonstrated a knack for marketing both his city and himself. When he became mayor in 1974 (ironically, running as "the anti-corruption candidate"), he was just a 33-year-old prosecutor overseeing a dying factory town ("When I became mayor, even the Bible

WHITE HOUSE WATCH ***With* DREW FRIEDMAN**



Fred bones up on policy.

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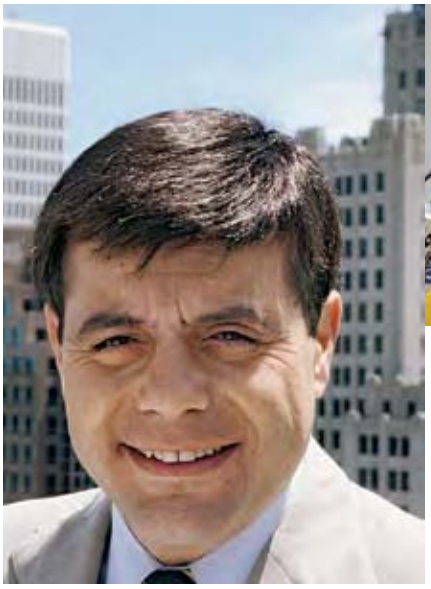
society was moving out!" he exclaims). But, in myriad small ways, he revitalized the city, once known as the "armpit of New England," and turned Providence—and himself—into a brand. He installed gondolas along the Woonasquatucket River, expanded the city's mounted police force ("Talk about good relations. When was the last time you saw anybody pet a police car?"), and marketed his "Mayor's Own" marinara sauce. Less than a year after taking office, Cianci was a bona fide star, taking meetings with Gerald Ford at the White House and introducing Texas Governor John Connally at the 1976 Republican Convention.

But, eventually, Cianci's individual brand became too big to be contained by his party, and, in 1982, he left the GOP and became an independent. Soon after, the charismatic mayor ran afoul of the law. In 1984, he was forced to resign after pleading no contest to assaulting a man he suspected of having an affair with his ex-wife, reportedly using an ashtray, a fireplace log, and a lit cigarette. Then, as now, Cianci launched a radio show that kept him "part of the public discourse." The radio studio was "Cianci's Elba," in the words of biographer Stanton. Six years later, he ran again for mayor and won over the objections of state lawmakers who had passed a constitutional amendment (termed the "Buddy Amendment") prohibiting anyone with a felony conviction from holding public office within three years of their conviction, parole, or probation.

Lunch with Cianci is like a scene out of "The Sopranos." We enter a swank Italian restaurant downtown and join a round table in the back with six beefy men smoking cigarettes and polishing off a bottle of wine. "Mr. Mayor!" one of them yells, laughs all around. I ask one of the gentlemen what he does for a living. "I eat lunch," he replies.

When he's not holding court on the radio, Cianci continues to hold court here at the Capriccio Restaurant, with its high-backed chairs and smoke-filled rooms. "See, let me tell you what my theory of being mayor is," Cianci says, taking a drag on his cigarette. He then spends the next 30 minutes regaling the table with the history of Providence and urban America from the 1970s (when "mayors were social workers") through the '90s and the present day, with mayors now acting as "entrepreneurs." It becomes clear, as he talks, that Cianci thinks of his RICO phase as just an aggressive form of entrepreneurship.



Cianci in 1984, the year he reportedly attacked a man with an ashtray, a fireplace log, and a cigarette; and, today, back in the studio.

After the feds indicted him on the RICO charges in 2001, Cianci ended up serving his sentence at the federal prison facility in Fort Dix, New Jersey. Prison was a difficult adjustment for Cianci, who cultivated discriminating tastes in good food, fine wine, and beautiful women during his mayoralty. But it had its upsides. "They've got great services there," he jokes. "They even open up your mail for you." He also says he had the chance to read almost 1,000 books, including the historical works of David Halberstam and David McCullough, which has inspired him to start a book club on his radio show, à la Don Imus (who frequently bandied on-air with Cianci during both of the men's heyday). And he no longer takes things for granted. "I've got good friends," he says, looking around the table. "They're a little overweight, but that's all right." ("He taught us how to eat!" one of the men at the table shouts back.) Upon his release, Cianci was ordered to live in a Boston halfway house for three weeks. He didn't enjoy the conditions or the company, which, he recalls, included a mouse inhabiting a toaster.

These days, Cianci is full of grand plans: He wants to broadcast a series of shows from China, establish a center for public service at a local university as a "repository" for his papers, and says he has raised $700,000 for a scholarship fund to send minority students to college (this figure, like the number of books he read in prison, has doubled since a spate of interviews he gave earlier this year). He also recently signed a deal to become the chief political analyst for Providence's ABC affiliate.

Because of the "Buddy Amendment," Cianci cannot run for office until 2012. And, according to Darrell West, a professor of political science at Brown University who published an academic paper called "Popular Rogues," using Cianci as a case study, Buddy is in no hurry to seek elective office again. "He has the perfect platform now," West says. "He's very visible, but he doesn't have to be responsible for anything." But, while Cianci hedges about his political future ("I will always be available to my city or state for whatever they like me to do or ask me to do"), another run is far from unlikely. Cianci has the energy of someone half his age, and his pioneering form of scandal rehabilitation also seems to be working. Today, he says, people applaud him when he walks along city streets. West says, "People in Rhode Island are remarkably forgiving. [They] treat him like a rock star now. They don't seem to mind that he's a convicted felon."

A little corruption is nothing to get ruffled about, anyway, especially if you can make a few dead presidents off it. "There are peaks and valleys in everybody's life, and, unfortunately, I had a valley," he waxes philosophically. "But you have to know the lowest of valleys in order to be on the highest peaks. That's a big part of life. So here I am. Back again."

James Kirchick

Department of Corrections

Richard Taruskin's essay "The Musical Mystique" in the October 22 issue incorrectly stated that the "*Atlanta Journal-Constitution* demoted its critic to the status of a feature writer." Despite the recent staff reorganization of the *Atlanta Journal-Constitution*, neither the classical music critic's title nor his responsibilities have changed. We apologize for the editorial error.

JACK SPRATT/PG ARCHIVE/ZUMAPRESS; AP PHOTO/STEW MILNE

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Jenna vs. Chelsea

Who's the least virtuous first daughter?

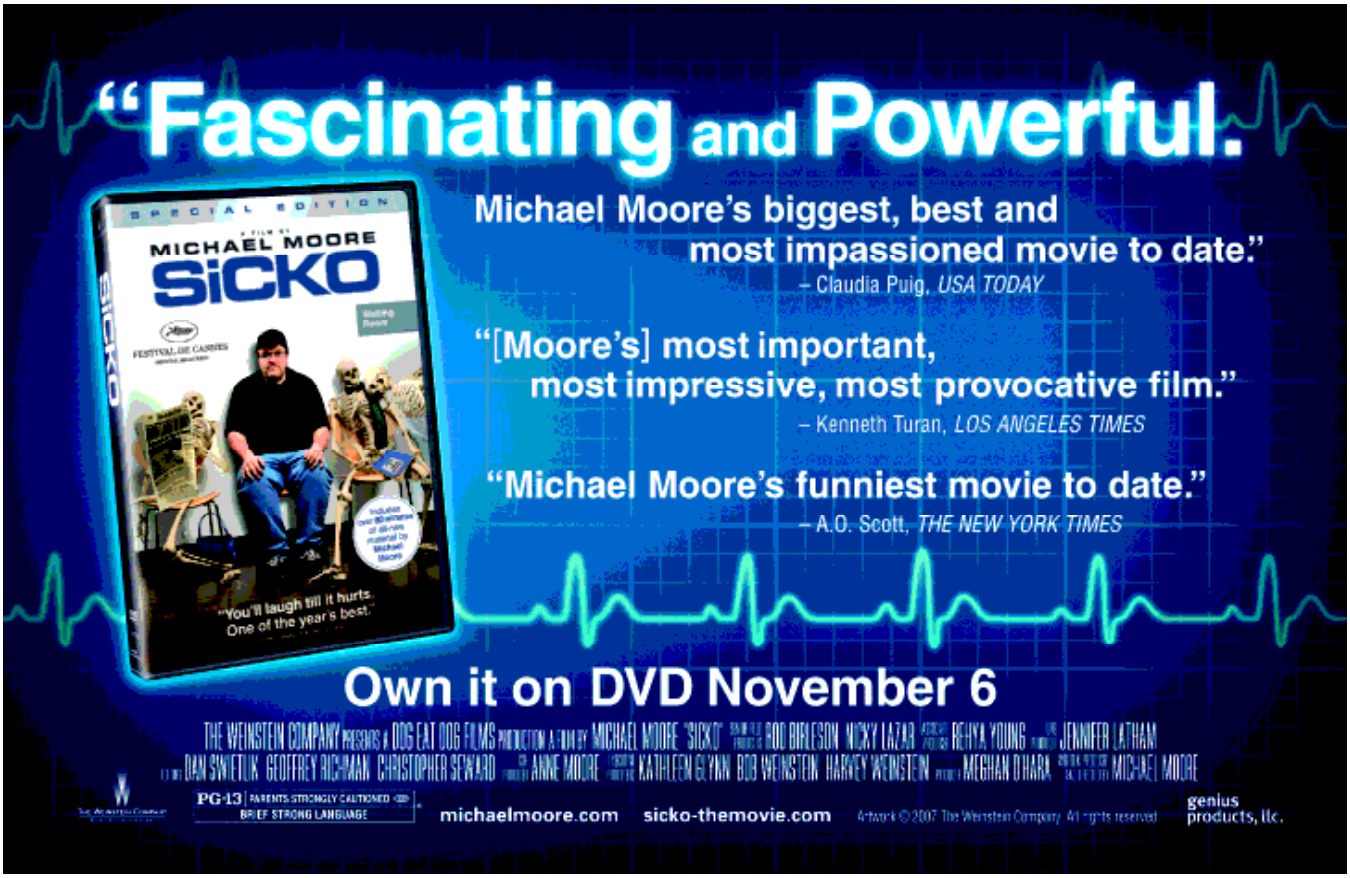
For a long time, it seemed as if Jenna Bush's public image was pretty much summed up by her work on the club circuit. Back in 2005, the *New York Post* made mention of a party that included "Jenna on all fours doing 'the butt dance' . . . as guys were ogling her thong." If the First Twin's choice of recreational activities wasn't entirely bad—for instance, the *Post*'s source gave Jenna credit for "doing [the butt dance] very well"—then neither was it entirely good. By contrast, Chelsea Clinton learned the hard way about what can come of impromptu displays of thong and, so far, has covered her rear. It's no surprise that her Poise Count—the number of LexisNexis articles resulting from the word "poise" paired with her name—clocks in at 770, while Jenna trails at 144. Chelsea was the accomplished Stanford graduate living a quiet life in New York, while Jenna was the not-so-accomplished University of Texas graduate living a loud life in—well, wherever she happened to go drinking.

The butt dance, however, turned out to be the end of an era for Jenna. Shortly after the *Post* story, she began teaching at a public elementary school in Washington, D.C. She got engaged to a young conservative named Henry Hager, a former aide to Karl Rove. And she took a job as an intern for UNICEF and wrote a book called *Ana's Story*, a nicely rendered nonfiction account of the life of a 17-year-old Central American mother living with HIV. If it's all a calculated effort to re-tune the Jenna product, it has worked on me. In fact, the closer I look, the more I like Jenna. And, I regret to say, the less I like Chelsea.

These days, Jenna has an easygoing manner not just with the bartenders at Smith Point but with nearly everyone, including the mentally impaired. With Larry King, for example, she patiently fielded queries from her host such as "Why does Ana have one 'n'?" and "Why isn't the world not doing more?" (Related mystery: Why isn't King not on the air anymore? Isn't viewers getting not unsick of him?) Jenna was equally forbearing with Diane Sawyer, who seized on a mention of sex in Jenna's book and (placing the tips of her hands at her temples to illustrate bewilderment) managed to come up with, "We think, wait. Doesn't she come from an administration that believes in abstinence? Is this tricky?" No, Jenna explained, gently putting Sawyer's worries to rest, "I don't come from an administration. I'm his daughter, you know?"

I should confess my Jenna-love isn't entirely faithful. When, for instance she calls her fiancé "a really good guy," her wording and intonation so resemble those of her father (or Will Ferrell) that it's hard for me to forgive her. But my real complaints start with Chelsea Clinton. Blame *The New York Times* for planting the first unfriendly thoughts in my head. In an article published this July, the paper unkindly reminded readers that Chelsea, in the months after September 11, had written in *Talk* magazine that "'serving' in the broadest sense now seems like the only thing to do. . . . Is banking what's important right now?" To which the *Times* not so gently pointed out that Chelsea's post-9/11 resume has consisted of stints as a McKinsey consultant and as an investment analyst at Avenue Capital, a hedge fund run by the nuns of Calcutta. Oh, sorry—make that Clinton donor Marc Lasry.

The *Times* piece was a fairly bitchy slap, and, before I level any further charges myself, let me defend Chelsea for a moment. All of us were feeling generous and


"Fascinating and Powerful.
Michael Moore's biggest, best and most impassioned movie to date."
– Claudia Puig, USA TODAY
"[Moore's] most important, most impressive, most provocative film."
– Kenneth Turan, LOS ANGELES TIMES
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altruistic in the wake of 9/11 before we came to our senses, aided by time and a ruthless White House. One of my best friends worked for McKinsey (I still like him fine), and my wife once worked for a hedge fund (I still like her fine). I, too, would hope one day to be well-paid, even if this effort is going disastrously.

But, still, it all seems a bit—much. Quoth the *Times*: "Friends say financial independence is important to Ms. Clinton; she may improve on her low-six-figure McKinsey salary by hundreds of thousands of dollars." That's quite a declaration of financial independence.

And Chelsea didn't exactly spend her Oxford days tending to the world's unfortunates, either: Among the events she attended were a Versace couture show in Paris (sitting next to Madonna and Gwyneth Paltrow), a ball thrown by Sir Elton John, and a film premiere with Paul McCartney. Nor did she join her British celebrity friends in visiting landmine amputees, unless the amputees happened to be holed up at Oscar de la Renta's Dominican villa. In New York, Chelsea has befriended celebrities like Tara Reid (who, to be fair, may actually qualify as a public service cause) and become a regular at establishments like Schiller's and Bungalow 8. In short, while Jenna has used her celebrity—at least in part—to help impoverished children, Chelsea has used her celebrity to get herself good tables at Nobu. And to get guest reporter gigs at swishy *Interview* magazine. Here's her grilling of actor Jake Gyllenhaal:

> CLINTON: I wish you were shooting on Martha's Vineyard.
>
> GYLLENHAAL: I remember going to your father's 51st birthday on Martha's Vineyard, where we met. Both our families are friends with the Danson-Steenburgens, and I was invited.
>
> CLINTON: We sat together at dinner.
>
> GYLLENHAAL: And we just immediately started talking. I'm going to the Vineyard next week with my mom.
>
> CLINTON: Your mother's such a heroine.
>
> GYLLENHAAL: She is. As is yours.

Darling, it's been so frightfully dull at the Danson-Steenburgens without you.

Now, I'm sure many readers will complain that neither Jenna nor Chelsea deserves such scrutiny. But, like it or not, they're from families that have become dynasties. Bush and Clinton aren't just names anymore; they're brands. When Jenna gets sloshed and does the butt dance while others go to war, it hurts the Bush brand. When she interns with UNICEF, it helps the brand. When Chelsea holds hands with her parents while the family is immersed in scandal, it helps the Clinton brand. When Chelsea talks about service and then serves herself some hedge fund megabucks, it hurts the brand. And we care about the brand, because our political hopes often rest on its success or failure.

Don't get me wrong: When it's Jenna versus Chelsea for the presidency in a few years, I'll still pull the lever for the smart liberal. But I'd dearly love it if, in the meantime, Chelsea would show a little more brand awareness. It might mean missing the occasional party on Martha's Vineyard, and it might even mean doing some Jenna-like service. But it'd be worth it. Mother would be grateful, and the Danson-Steenburgens would understand. *T.A. Frank*

T.A. Frank is an editor at The Washington Monthly.

Infertile Crescent

Iran, Denmark of tomorrow?

Anyone seeking reassurance about Iran's future as a peaceful, democratic nation would not do well to look to its current leaders, as President Mahmoud Ahmadinejad showed in his rambling, bizarre talk at Columbia University last month. Still, a rather more encouraging portrait emerges when you peruse Iranian demographic data. Iran is experiencing what you might call the reverse–*Children of Men* effect. Just like in the post-apocalyptic film, Iran is, increasingly, a society devoid of children. But the real-life outcome of this birth dearth is far less grim than the police state depicted onscreen. In fact, there's a good chance that declining fertility rates will usher in a new era of stability—an Iran that is bourgeois, secular, less like *Children of Men*'s bombed-out Britain and more like … Denmark.

In order for a society to maintain population levels, it needs a fertility rate that replaces both parents and allows for infant mortality: 2.1 children per woman

David Cowles

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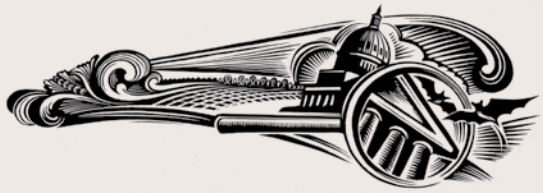
(about what the current U.S. rate is). Traditionally, most Middle Eastern and Islamic societies have had a far higher rate; but, in recent years, the region's fertility rates have slowed—and nowhere is the drop more striking than in Iran. From 1950 through 1980, Iran had extraordinarily high fertility rates, between 6.5 and seven children per woman. During the '90s, however, the rate tumbled from 5.6 to 2.5, and, as of 2007, the rate is just 1.71. The population growth rate has undergone a similar plummet, from 3.2 percent in the mid-'80s, to 1.2 in 2001, to the current rate of 0.663. Essentially, between 1990 and 2000, Iran's demographic profile moved from the paradigmatic Third World model (high fertility rates, high growth) to the First World model.

The connection between fertility rates and political stability is still not fully understood, mostly because the human race has never, in its entire history, reproduced at below-replacement levels, and we simply don't have the longitudinal data to see what that could mean. Still, when you notice that some of the highest birthrates in the Islamic world are in places like Iraq, Somalia, Sudan, Afghanistan, and Gaza, whereas the world's lowest birthrates are in nations like Italy, Japan, and Germany, it's clear that Iran's lower birth rates could signal some unheralded, and very positive, changes.

How to understand Iran's sudden drop-off in population growth? Several factors come into play. In the long run, lower child mortality rates played some role, since parents weren't forced to play the odds by building large families. We should also recognize the Iranian government's post-1989 decision to expand family-planning arrangements—although similar attempts under the Shah's regime had produced nothing like the same epochal effects. But the clearest correlation is actually with Iran's somewhat surprising move toward gender equality in the 1990s. Despite the 1979 Islamic revolution, which overturned many of the displaced Shah's modernizations, the idea persisted that women should be educated and should be able to work. By 2000, women made up 60 percent of university entrants; today, they account for two-thirds of university graduates. The rate of female participation in the workforce in 1990 was 22 percent, only a little higher than Saudi Arabia's; by 2005, it was 41 percent. With growing numbers of women working (and, therefore, less available to parent a huge family), and



On the Hill

THE THREE FURIES

Congress's Out of Iraq sisterhood.

Last January, three Californians rode into town to rule the new Democratic majority. They had a name—the "Triad"—one shared with the sinister Chinese secret societies, "triads," that became the scourge of Hong Kong by dominating the industries of DVD piracy and contract murder. They had a following—nearly 80 foot-soldiers loyal to their cause. They even had a sign, flashed in moments of solidarity by the girl gang's three members—Representatives Lynn Woolsey, Maxine Waters, and Barbara Lee. Recently, Woolsey demonstrated it for me after I accidentally referred to the women as the "trio." "Triad," she corrected gravely, pressing her index fingers and thumbs together to create a triangle.

The Triad is not the first specially named guerrilla unit to form on the Hill. Past congressional generations have produced "Rummy's Raiders," the "Newtoids," and "The Gang of 14." (None of these other groups is known to have had their own sign.) But, more than any other, it has, over a short period of time, experienced a reversal of fortune. After the Democrats swept into Congress last year with a mandate to radically alter our Iraq policy, the members of the staunchly antiwar Triad became captains of the effort. They expanded their Out of Iraq Caucus, invited celebrities like Susan Sarandon to appear with them at press conferences, and attracted throngs of reporters when they stepped off the House floor. During negotiations over the Iraq spending supplemental, they stared down Speaker Nancy Pelosi herself, threatening to defect with a core 30-member Out of Iraq bloc if the leadership wasn't strong enough on its antiwar position. "We are quite a force to be reckoned with," Woolsey boasted at the time.

But, after the early spring, growth in the Out of Iraq Caucus's membership has "been stuck," says Waters. Moderates became more powerful, and Pelosi and the leadership began to design Iraq initiatives with their needs in mind, not the Triad's. By the summer, there still had been no glimmer of a serious change in our Iraq policy. The Triad had lost its turf. Some radically new techniques were in order. "We realized our voices had to be bigger," says Woolsey. "We knew we needed to go beyond the Congress." They decided to take their D.C. posse out to the people.

The Triad found the people at, among other places, the Drake Diner, a 1950's-style black-and-chrome restaurant in Des Moines, Iowa. On Saturday, June 23, the women breakfasted there with local Democrats, the first of a series of appearances they are making in the early primary states—Iowa, Nevada, New Hampshire. Even at first glance, the three stood out: Waters, with her '60s-movie-star glasses; Lee, with her short, spiky hair; and the white-haired Woolsey, who sports a distinctive radical-granny look. At the breakfast, they pulled out all the stops, launching into a blistering critique of the Democrats who kept voting to fund the war. "They were pretty strident. They were forceful," says Peggy Huppert, chair of Iowans for Sensible Priorities, the group that helped bring the Triad to the state. "They said, 'This is unacceptable, and you need to hold [these Democrats'] feet to the fire.'"

Some of the Democrats under attack were sitting right there. Joe Biden's local manager, Danny O'Brien, got publicly schooled when he tried to defend Biden's votes. "Maxine wasn't having any of it," recalls Huppert. "She said, 'Yeah, right. Well, you can say that to justify it. You're not going to convince me.'"

This no-bullshit air is typical Waters. Arriving in Congress from Los Angeles in 1991, she immediately made a name for herself by storming her way into a White House meeting on the L.A. riots to which she had not been invited. Lynn

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Woolsey, then a city council member in Sonoma County, fell in love. "When I was running [for Congress] in 1992, people would ask, 'Why are you running?' And I'd say, 'Because Maxine Waters needs me,'" she remembers. Lee, who came to Washington in 1999, won extra respect from Waters and Woolsey by casting the sole House vote against Bush's invasion of Afghanistan.

Though the women have assumed distinct roles within their band—Waters, according to Woolsey, is the "message and the spirit. . . . Barbara is quieter, the statesman"; and Woolsey, says Waters, is "less patient"—a shared worldview underpins their intense bond. The Triad creed, according to Waters, is this: "We truly believe that you cannot manage the differences of nations with war. . . . We believe that the time certainly has come . . . [to] disarm the world." But the first step, disarming moderate opponents in Washington, has proved increasingly tough. This month, Pelosi sent an Iraq resolution the Triad considered GOP appeasement—Representative Neil Abercrombie's non-binding request for withdrawal plans—to the floor for a vote. The group of liberals the women had marshaled to combat the spring's supplemental defiantly voted against Abercrombie. But, unlike during the supplemental negotiations, nobody really seemed to notice, or care. The measure passed handily with Republican help.

The Triad women are unwilling to succumb to the prevailing Democratic attitude of resignation. That's why they've headed out into the primary states to fire people up and draw on the energy of the presidential campaigns. They mounted four events in one day during their June Iowa trip; an August trip to Nevada featured a Service Employees International Union rally. And they have an upcoming visit scheduled to New Hampshire. "[People] are not showing up [to protests] yet in the way you think of the Vietnam era," says Waters. "It's going to take street heat [to end the war]. I want people to roll out!"

Around 125 Democrats rolled out for the Triad's rally at a black church in Waterloo, Iowa, a few hours after the Drake Diner breakfast. The Faith Temple Baptist Church gospel choir introduced the California representatives with a rendition of "Celebrate!" that rang to the ceiling. At home in the hopped-up crowd, the Triad railed on Bush and received standing ovations and shouts of "Amen!" and "You say it, girl!" "It was almost, to me, as if the whole rest of the day had been warming up for the Waterloo event," says Huppert. Chris Schwartz, also of Iowans for Sensible Priorities, got goosebumps. Waters "was really on fire," he remembers, "and ready to drag people into the streets kicking and screaming to take action."

But do the people want to be dragged into the streets kicking and screaming? Because of their abundance of outrage over the war, the Triad's efforts can have an alienating, kamikaze quality. The hot language and Bush-bashing worked at the church in Waterloo, but not so well in Des Moines, where a more disappointing rally earlier in the day turned out only about 50 staid Iowans and no press.

Some Democrats believe that, with its level of outrage, the Triad has sacrificed power in Congress. In September, Woolsey was quoted telling activists that they should consider "go[ing] after the Democrats" who are insufficiently pious on Iraq. The fallout from what sounded like an incitement to Robespierre moderate Democrats still hasn't entirely settled. "It was a blip [in the press], but around here people were really, really irritated," an aide to an Out of Iraq Caucus member says.

The suggestion was not only impolitic, it was strategically deaf. Progressives in Congress desperate to end the Iraq war live inside an unsolvable math problem, where nobody can muster the simple numbers to override filibusters or vetoes. The obvious solution to this unforgiving political calculus is to get more Democrats of any kind in Congress in 2008, not to pick off incumbents.

But you have to give them credit: Unlike many other downhearted antiwar Democrats, at least the three women are trying. In addition to the states they've already visited and will visit, Waters is trying to convince the other two to try their luck in South Carolina. "I think we can have a great impact in South Carolina," she says, smiling mischievously. The gang rides on. But, outside their familiar territory, they run the risk of becoming something like Buffalo Bill Cody became when he took his Wild West Shows to genteel Boston: more performance than persuasion.

Eve Fairbanks

with more financial options available to women outside of marriage, fertility rates inevitably dropped.

Obviously, Iranian culture doesn't bear many similarities to the world's other low-fertility belts, like Scandinavia and the northern Mediterranean. But there's some evidence that Iran may begin to resemble those regions once it begins to realize the effects of its baby bust.

It's well-known that economics dictate the sizes of families. Agricultural societies, for instance, have tended to produce high birth rates—with lots of extra hands for cow-milking and grain-harvesting. But family size can also affect the shape of an economy. If you don't have lots of kids to support you in your dotage, for instance, you begin to turn to the state for financial support, which means that you are invested in the state's continued stability. Conversely, when you have no children to support, your attitude toward posterity changes. With fewer heirs, you are more likely to spend money on yourself; increased spending buoys the economy; and, suddenly, industry is buzzing away.

And lower fertility rates might transform Iran even more fundamentally. Living in a nation where you are much less likely to have many children or grandchildren, and where many people will have none, you might find yourself losing the sense of continuity and tradition that makes religion work. Only by taking children out of the picture, in fact, can we appreciate how much of the institutional life of any religion revolves around passing traditions down to the young, through first communion classes, Koran training, or bar and bat mitzvahs. With these rituals—the cement of religious experience for many people—happening less frequently, your ties to church or mosque weaken.

Until now, European countries like Italy and Spain have provided the best examples of such a process. A priest who, in the 1970s, might have guided 1,200 children through the confirmation process in a year now deals with perhaps a tenth of that figure, meaning that the lifeblood of the church has been effectively shut off. As that change took effect, those nations became much readier to defy the church—for example, by legalizing abortion.

There's a corollary to this decay in traditional values. When you live in a country where you can expect to only have a few children at most (and where hav-

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Philip Jenkins is the author of God's Continent: Christianity, Islam and Europe's Religious Crisis.

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ing no children is a viable option), your perception of marriage changes. Instead of viewing marriage mainly as a means to give birth to and raise socially functional children, you come to define it by other things, like companionship. And, as marriage becomes more about companionship than about children (more about maintaining this generation than about propagating the next), you may become more accepting of people who seek options outside of traditional marriage: for instance, all the gay Iranians who, according to Ahmadinejad, don't exist.

Demographic changes don't show their full effects for years—the children born into Iran's new social configuration won't graduate college until the 2010s and 2020s. But already Iranians have become familiar with expectations about gender, autonomy, and the individual that are very different from those offered by the clerical regime. Given another decade or so of uninterrupted development, trends make it very likely that Iran could approach high levels of stability and even political pluralism. Of course, that's if Ahmadinejad doesn't scotch it first.

Philip Jenkins

Wind Vain

Texas, environmental haven.

You can't get much further to the right than Warren Chisum—even in Texas. Many years ago, the diminutive legislator from Pampa put forward a measure in the statehouse to ban heterosexual sodomy. What followed was a legendary floor debate in which one bemused Democrat got up to ask what would happen if her husband should "slip" while in bed. The chamber erupted in laughter, but Chisum just shuffled his papers and stood his ground, retorting, "I would suggest you go see a doctor about his aim."

So it comes as a bit of a shock to hear Chisum gush, these days, about wind power and biofuels. After all, in recent years, conservative interest in alternative energy has focused largely on drilling for Alaskan oil and not much else. But now, Chisum tells me, "Selling wind up here is our next oil boom. We're tickled we're doing it." He's so tickled, in fact, by the potential for renewable energy in Texas that he's going to form a "carbon caucus" in the next legislative session to see how the state can deal with global warming. "No need to debate whether climate change is a fact or isn't," he says. "We just

THE MAN CRUSH

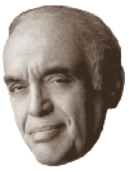
It is an iron law of conservative journalism that right-wing correspondents will develop crushes on the presidential candidates they cover. Herewith a guide to the GOP front-runners—and the men who love them.

Hugh Hewitt *on Mitt Romney*

"Too smooth. Too rich. Too successful in private enterprise and public service. Too perfect. . . . Mitt Romney is handsome, articulate—even eloquent—well tailored, married to an attractive woman, and father to five all-American boys."

John J. Miller *on Romney*

"Romney looks like he could play quarterback—he's tall and trim—except that he's not nearly mean enough for the gridiron. The man exudes niceness. . . . He doesn't drink alcohol or coffee, smoke cigarettes, or swear—the closest thing to a curse word he'll ever utter is the adjective 'bloomin',' as in, 'Can you believe those bloomin' Democrats?' But he has to be really worked up before he'll say it. His one vice appears to be wolfing down a bowl of sugar-coated cereal just before bedtime."



Bob Novak *on Fred Thompson*

"Overall, his tone, in a soft Tennessee drawl, is less harsh than that of other Republican candidates—a real-life version of the avuncular fictional D.A. he plays on TV."

Stephen Hayes *on Thompson*

"Thompson seems to recognize that he wins the guy-I'd-want-to-get-a-beer-with primary the moment he announces. He comes across as a regular guy—'folksy' will be the political cliché that attaches to his candidacy—and punctuates explanations of his positions with the kind of off-the-cuff homespun witticisms that Dan Rather spent a career trying to come up with."

John Podhoretz *on Rudy Giuliani*

"The Republican Party is the party of strength at home and abroad and for many, Rudy Giuliani personifies that."

Bill Kristol *on John McCain*

"There is McCain's way, a way of difficulty and honor . . . McCain may lose the political battle at home, and the U.S. may ultimately lose in Iraq. But some of us will always be proud, at this moment of choice, to have stood with McCain, and our soldiers, and our country."

Of course, we've all had relationships we'd rather forget . . .

Richard Lowry *on George Allen*

"He combines the people skills of a Bill Clinton, with the convictions of a Ronald Reagan, with the non-threatening persona of a George W. Bush circa 2000."

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have to keep pressing the envelope." Environmentalists in Texas are wary, but pleased he's even talking about it. What's more, many of his fellow Panhandle Republicans are joining him—this from a part of the state where, as Chisum noted during the sodomy debate, "They probably would hang you for doing that in my county, if they caught you."

Texas has long been the dirtiest state in the union: frequently tops in carbon emissions, in ozone pollution, in chemical spills. It's the oil and gas fiefdom that gave us Tom DeLay and the Bush dynasty. But, in the last five years, and without much fanfare, Texas has become a clean-energy mecca of sorts. The state has overtaken even California in wind power and is on pace to build more turbines than much-hyped eco-nations like Denmark. Much of the boom is being led not by enviros, but by oil men who carry guns to work and by tycoons like T. Boone Pickens. And it's slowly converting right-wing legislators who despise Al Gore into evangelists for green energy.

Between the high, gusty plains of the Panhandle and the long shoreline of the Gulf Coast, Texas is a natural wind-power paradise, with more wind potential than any other state save North Dakota—enough, in theory, to supply the state's sizeable electricity needs several times over. (And they are sizeable: Only twelve *countries* use more power than Texas.) Yet, as recently as 1994, there wasn't a single commercial wind project in the state and Texas used less renewable power per capita than anywhere else in the country. "Hardly anyone in the legislature even knew what renewable energy was," recalls Mike Sloan, a wind-energy consultant.

Oddly enough, the turning point came in 1999, when a business-cozy governor by the name of George W. Bush signed into law a bill restructuring and partially deregulating the Texas electricity market. At first, advocacy groups like Public Citizen fought the measure (even now, there's heated debate over whether the move hurt consumers). But a variety of moderate green groups, led by the Environmental Defense Fund, tried a different tack, negotiating a small provision requiring utilities and retailers to collectively generate 2,000 megawatts of new renewable power by 2009. It was one of the first mandates of its kind and contained a trading mechanism that let utilities buy and sell renewable credits—a sort of cap-and-trade system in reverse.

"The utilities all said it wouldn't work, that it would cost a zillion dollars," says Jim Marston, regional director of Environmental Defense's Texas office. "But it ended up working better than anyone expected." Combined with the fact that deregulation allowed small start-up firms like GreenMountain.com to sell renewable power to anyone who wanted it, the industry took off in a hurry, as utilities rushed to buy up wind projects and customers, who appreciated the price stability, boosted demand.

As natural gas prices began rising, it didn't take long before Texas's oil and gas barons scurried to catch the wind boom. One early convert was Texas Land Commissioner Jerry Patterson, a staunch Republican and former Marine pilot who keeps a pistol in his left boot at all times. Patterson's agency has traditionally made money for the state's education fund by leasing its 20 million acres of land to oil and natural gas companies. A few years ago, however, Patterson came to realize that fossil fuels wouldn't last forever—Texas's oil production peaked around 1972—and began aggressively seeking out alternatives.

That meant finding entrepreneurs like Herman Schellstede, a good ol' boy from Cajun country in Louisiana who made his name building oil platforms. In 2003, as he was at work dismantling old rigs on the Gulf Coast, Schellstede was approached by Harold Schoeffler, a Cadillac salesman and head of the local Sierra Club Chapter, who had never worried too much about the dissonance between selling gas-guzzling clunkers and filing lawsuits to stop petroleum giants from spoiling local wetlands. Schoeffler showed Schellstede a study about offshore wind potential in the Gulf Coast, and the two hatched a scheme to build wind turbines atop old oil platforms. "Ask yourself . . . are [we] in the energy business or the oil business? If we're in the oil business, we're all going to be out of business eventually," Schellstede told reporters. "But, if we're in the energy business, these wind turbines will operate forever." And, after Louisiana declined to sanction the project—fearing it would compete with oil and gas—the pair found Patterson, who liked their way of thinking. (It also helps that Texas has fewer NIMBY-minded folks who oppose unsightly wind turbines than, say, Cape Cod.)

The big boys are getting into the game, too. Take T. Boone Pickens, the feared corporate raider who made billions in the 1980s—and landed on the cover of *Time*—by buying up oil companies. No one would accuse him of sentimentality: Pickens owns 200,000 acres worth of water rights in the Panhandle, and locals fear he's planning to divert water from the region in the coming decades to sell to thirsty Texas cities for a tidy profit. But Pickens recently announced plans to invest as much as $6 billion to build the world's largest wind farm in Texas.

Stories like that have become commonplace. Far from costing a zillion dollars, Texas utilities easily met the original renewable goals in half the allotted time, and, in 2005, the legislature passed an even bigger mandate with nary a fuss. "Texas has always prided itself on being an energy state," says David Swinford, another conservative-legislator-turned-wind-booster from the Panhandle. "Quite frankly, we want to be number one, no matter what we're doing." All told,

Lou Beach

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investors have expressed interest in projects worth more than 24,000 megawatts in wind power—more than is installed in Germany right now and, if built, enough to provide one-third of Texas's electricity needs. "Right now, the problem is the backlog of orders," says Roger Duncan, deputy general manager of Austin Energy, the city's municipal-owned utility, which escaped deregulation and has one of the most aggressive renewable goals in the country. "The manufacturing sector can barely keep up to meet demand."

Far from sitting back and letting the free market simply work its magic, the Texas legislature has realized that it needs to step in and provide the infrastructure—transmission lines, mainly—to nurture the wind industry. "The government has for years provided subsidies and incentives for fossil-fuel resources," notes Susan Williams Sloan of the American Wind Energy Association. "If you want to bring something new in, you have to revise the rules." The legislature has also passed an efficiency mandate requiring utilities to meet 10 percent of new energy demand through conservation measures. (Duncan suggests that legislators may have noticed that Austin Energy scrapped plans for a coal plant in 1982 and made up the difference through efficiency measures, with little in the way of rate increases.)

Congress, too, is taking note, and has been debating a renewable-energy mandate that Senator Jeff Bingaman of New Mexico modeled after Texas's. Alas, most Republicans oppose the measure, as does Bush.

No, the Lone Star State hasn't turned into Sweden, and its carbon emissions are still growing at a furious rate. But, at the very least, the wind-power boom has made many business leaders and conservatives more sanguine about the changes necessary to wean the state off fossil fuels. "Many utilities kicked and screamed the first time we passed a mandate," says Marston. "But, in 2005, they didn't even bother to oppose the stricter requirements, because they saw they could actually make money off of it."

Still, just because renewable energy can be profitable—especially as oil prices rise—doesn't mean environmentalism is on the upswing. Texas energy prospectors are likely to go wherever the money is—be it wind or coal. And conservatives like Chisum and Swinford are more keen on diversifying Texas's energy base than tackling global warming per se. Making sure the two goals coincide will require a more proactive approach, along the lines of what's happening in Austin, which, under Mayor Will Wynn, has passed an ambitious plan to curb emissions and make the city's facilities carbon-neutral by 2020—a plan that includes everything from renewable and efficiency mandates, to nuclear power, to land-use and zoning changes. That in itself isn't terribly surprising—Austin has long been a lonely lefty redoubt in a bright-red state. The shocking thing, however, is that it's been getting positive attention around Texas. Wynn has been wooing local business leaders with his own remixed version of *An Inconvenient Truth*, adding slides about ways in which cities can make money by going green. Austin has become a hub for clean-energy tech, fueling a robust economic expansion, and other cities in Texas are rushing to copy many of Austin's more successful initiatives, such as green building, which Wynn, a former architect, calls the "lowest-hanging fruit" for reducing emissions.

Will that sway conservatives in the legislature? "There's a sport there called Austin-bashing," Wynn chuckles, "where the conservative legislature tries to take authority away from us when we do something they don't like. The good news is that, on climate protection, they haven't been particularly hostile." Indeed, Marston notes that the statewide protests over energy giant TXU's plans to build eleven new coal plants in Texas—the company scuttled plans for eight of them, in a deal Marston helped broker—"got people understanding that what we do here in Texas really matters." He says he wouldn't be surprised if the legislature takes even more drastic steps when it meets again in 2009: "It won't be exactly what California has done, but it could be close." Is that crazy? A few weeks ago, Texas Governor Rick Perry was scoffing at talk of global warming, quipping that Gore's "mouth is the leading source of all that supposedly deadly carbon dioxide." But, only last fall, Perry announced that Texas would spend millions on transmission lines in the next decade to encourage $10 billion in private wind-power investment. That's the sort of climate change denial even Gore can support.

Bradford Plumer

VALERIE PLAME'S MAD LIBS CONTEST*

Many of my weekend trips with New York Knicks coach Isiah Thomas and point guard Stephon Marbury had a secret non-sports-related agenda. I took several Madison Square Garden female executives on these road trips, and I learned more about their desires and motivations in one weekend than in a slew of dinner meetings in town. Inviting a male like Isiah or Stephon was trickier, for the obvious reason of not wanting to send the wrong, romantic signals. In those cases, I included a small group of friends to block any assumptions that more than platonic friendship was involved, although that tactic never worked, as Isiah always managed to "get some" and then proclaim afterward that he "was very, very innocent."

**Valerie Plame Wilson's memoir came out this week, and the CIA censors went to town on it. As a result, it's a little confusing, so we asked our readers to fill in the blanks. Thanks, adissaro, for tipping us off to what Wilson was* really *up to on page 46.*

REUTERS/FRED PROUSER/NEWSCOM

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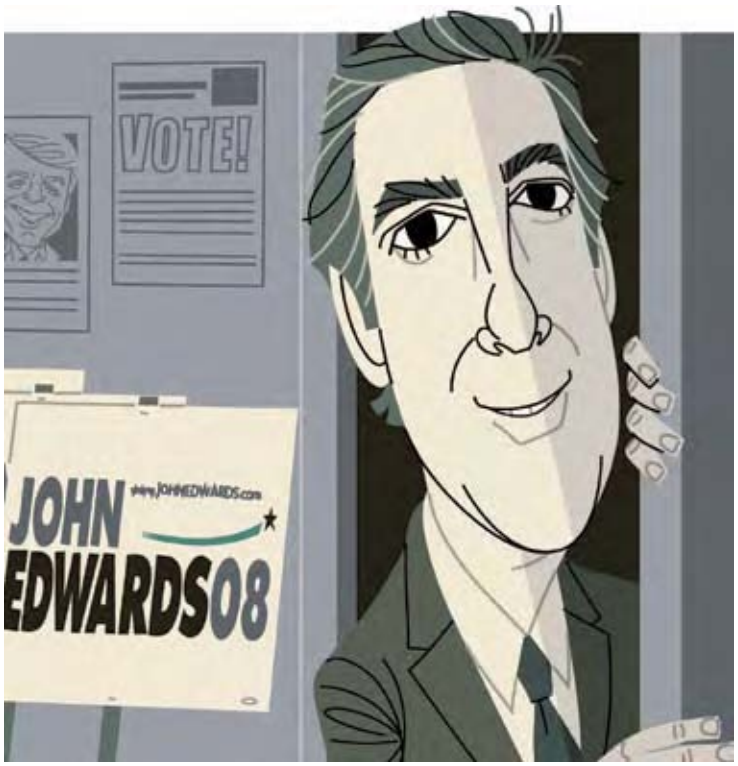
For Love of the Game

The return of Joe Trippi.

NOAM SCHEIBER

One of the little-foreseen consequences of the Internet era is the decline of an august institution called the spin room, the place to which campaign aides run after each presidential debate to talk up their boss's performance. There was a time, not too long ago, when the typical spin room looked like the floor of the New York Stock Exchange on a day that the Dow was in freefall. But, with campaigns now mostly engaging in e-mail combat, and with reporters rushing to post instant wrap-ups on their websites, there's little appetite for face-to-face interaction. You could have taken a reasonably sound nap in the spin room after several recent debates.

One such debate took place at Dartmouth College in late September. The first high-profile spinner on the premises, Mark Penn of the Clinton campaign, stands around in his pinstriped suit for five or ten minutes before a reporter even asks him a question. Tradition has it that an eminence like Penn must be trailed by a grunt carrying a large sign with his name on it. This is so he'll be identifiable amid the mob of reporters crowding the room. But tonight it looks like some kind of sight-gag.



Maybe ten or 15 minutes later, a dark, droopy-shouldered man with graying brown hair struts into the room, wearing ratty jeans and a tweedy-looking blazer. Though he has no sign-carrier, the man would be immediately recognizable to most veteran reporters as Joe Trippi—the guru behind Howard Dean's miraculous rise and (some would say) his fall. Trippi became a minor celebrity during the 2004 campaign, when he used the Internet to set fund-raising records for Dean and lead a rebellion of peasant-bloggers. Problem is, there don't appear to be many people who covered the '04 campaign in the room tonight. For several minutes, the only people questioning Trippi are me and an earnest British journalist, who sounds like he's following his first U.S. election.

Trippi is in an expansive mood nonetheless. John Edwards, whose campaign Trippi now more or less oversees, has had what, by all accounts, is the best night of the three major candidates. But the real topic of conversation is Barack Obama, who disappointed once again. Trippi is eager to join the speculation about what's going on with him.

Most campaign sharpies speak in sound bites. An unusually helpful one will toss in some tactical insights or off-the-record gossip. What makes Trippi so compelling is that he spins out full-blown theories, which he narrates with great passion. Perhaps his most famous theory was immortalized by the journalist Richard Ben Cramer in *What It Takes*, his epic about the 1988 campaign. It starred Dick Gephardt in the role of Dick Gephardt and former senator Paul Simon in the role of Bambi, and it concluded with Trippi telling Cramer: "So, in the NBC debate, Gephardt takes out a .357 Magnum and blows Bambi's head off."

Tonight's theory goes something like this: For the better part of a year now, the press has treated Obama to fawning coverage, the kind of attention that would cost you half a billion dollars to buy yourself, and even then it wouldn't be as effective. And, yet, after a brief moment of upward movement, Obama is back to around 20 percent in many state and national polls. "So, somebody's got to explain to me—I don't care if he's got $400 million," Trippi says. "You can't replicate what the media did for him."

At a certain point, I feel obliged to ask about the Obama organization in Iowa, which the scuttlebutt says is the most sophisticated of all the major candidates'. That's when I'm reminded of a second thing reporters love about Trippi: his distaste for the norms of campaign syntax. I see a small grin form on his face, and Trippi, whose voice normally sounds like a combination of Kevin Costner and Kermit the Frog, lapses into his best prisoner-of-war impression: "Their organization is formidable. I don't know how we're going to overcome it," he says.

The Brit's jaw drops. "That's your quote?"

"I'm saying that ironically, just so you know," Trippi responds. "That's my quote, except it's ironic."

A few feet away, I see a rival spinner's eyes widen.

Zach Trenholm

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The last time I showed up at Trippi's farmhouse on the Eastern Shore of Maryland was February of 2004. It was not long after Howard Dean's spectacular meltdown in Iowa, which had led to Trippi's ouster, and the mood was grim—for both of us. A few months earlier, I had proclaimed the Dean campaign a juggernaut and Trippi its driving force. True, I was hardly the only journalist to get caught up in the moment. But I was probably the only journalist who went on about it for 7,000 words. With a picture of Trippi on my magazine's cover. Under the headline: the man who reinvented campaigning. We sometimes struggled to make eye contact.

At the time, Trippi was being accused of everything from botching Dean's Iowa strategy, to spending the campaign into the ground, to lining his own pockets with outsized consulting commissions. Many of these charges turned out to be either false or overstated, and Trippi spent much of our interview debunking them. But the truth was that, for a man whose boss was once such a sure bet it almost seemed pointless to hold the primaries, Trippi didn't seem *that* broken up about the way things had turned out.

At least not about Dean per se. Prior to Trippi, campaigns had mostly used the Internet to do the same things they'd always done—raise money, send information to voters—only slightly more efficiently. Trippi had used the Internet as an interactive tool, making people feel invested in the campaign the way they felt invested in other online communities, like blogs and chat rooms. These supporters would then recruit friends and relatives, effectively doing the campaign's job for it. What really weighed on Trippi was the idea that this online movement might be dismissed as a fad. "All I want for someone to say is this thing worked," he bleated. He seemed to take comfort in the dozens of letters pouring into his mailbox from Deaniacs around the country—via "snail mail," ironically. One typical letter read: "Until you made Howard Dean a known candidate and got me involved through the Internet … I was only stewing in my anti-Bush rage, not understanding how we could ever get his ass out of the White House." The letter ended with a reference to a tearful call Trippi had placed to msnbc as he drove home from Vermont: "P.S. I listened a bit to the [Deborah] Norville interview last night, and felt your pain as you choked up …"

It's safe to say that the mood had lightened by the time I trekked back to Trippi's house a few weeks ago. His wife, Kathy Lash, and I made small talk while Trippi sat on his couch wearing paint-stained sweatpants and a ratty t-shirt, barking orders into a cell phone. Trippi shooed her away once he hung up. We had less time than he'd expected, he explained. Edwards was getting off a plane at five o'clock and Trippi needed to have a memo ready for him by then.

Trippi's road back from the Dean debacle was almost as conventional as his rise was unorthodox: He wrote a book, launched a new consulting firm, advised a few foreign candidates and domestic campaigns. What looked like a fad in early 2004 was, by 2006, clearly the future, and Trippi's services were increasingly in demand. (Leonardo DiCaprio will reportedly play Trippi in a forthcoming movie version of the Dean campaign.) Trippi guest-lectured at Northwestern for a class taught by Obama strategist David Axelrod, and the two men briefly discussed how he might join the campaign. Several weeks later, Trippi met with Clinton strategist Howard Wolfson to discuss a possible role in Hillaryland. When neither option panned out, an acquaintance put Trippi in touch with John and Elizabeth Edwards. He flew down to North Carolina for a three-hour conversation and accepted a job with Edwards a few weeks later.

Trippi is that rare species: a basically honest guy who often sounds like he's bullshitting you. There are times you're so certain Trippi is telling a tale you practically roll your eyes. Then you go back and verify the details … only to discover it's true. To wit, a story Trippi told me about John Vinich, a former U.S. Senate candidate in Wyoming. In 1988, Vinich overcame a nearly 20-point deficit in the final weeks of his campaign against Senator Malcolm Wallop. "We made this five-minute spot. And it croaked Wallop, just croaked him. … It was just a masterpiece. One of the greatest things I've ever done," Trippi recalled. The ad featured a newscaster reading reports of Wallop's numerous sins: accepting $5,000 from the Reverend Sun Myung Moon, a man who condones mass marriages; flying on the Moonies' jet; etc. "And so [the night of the election], no one can believe it. Vinich is going to be the U.S. senator from Wyoming. I mean, this is like out of nowhere." Later, I pulled up a *New York Times* article from November 10, 1988. Sure enough, Vinich and Wallop were headed to a recount after most observers—the *Times* included—had written Vinich off. (Wallop eventually pulled out the victory.)

This is the dilemma I face as I try to figure out how, at some point this summer, Trippi's role within the Edwards campaign evolved from media and Internet consultant to chief strategist. The story I hear from people close to the campaign is that Trippi moved to fill a vacuum that existed when he came aboard. Edwards's nominal campaign manager, David Bonior, was a distant figure—more like a traditional campaign chairman than a day-to-day manager—while many of Edwards's top aides from 2004 had undergone major life changes (babies, weddings, high-powered jobs) and were reluctant to move to North Carolina. By July, the campaign was hemorrhaging money, and Trippi lobbied the Edwardses to hire two close associates: Chris Kofinis, who became communications director, and Paul Blank, who became deputy campaign manager. The move stopped the bleeding—and effectively consolidated Trippi's control.

But, of course, you can't just tell a reporter you've taken over. Here's what Trippi says when I ask if he's the guy in charge: "You know, I'm not. I never wanted to run the Dean campaign in the first place, and I'm not running this thing. … I couldn't, even if I wanted to." Then he pauses to acknowledge his own track record with Dean, where he also started off as a consultant and ended up as the boss. "Even if I didn't want to run this like I didn't want to run the Dean campaign, and I was sort of thrust into it, I can't play that role. I'm really one of the three strategists for the thing, with [pollster] Harrison Hickman and [the other deputy campaign manager] Jonathan Prince."

The thing to understand about Joe Trippi is that being an underdog is absolutely central to his identity. Trippi's parents divorced when he was three months old, and his mom worked two waitressing jobs to put food on the table. Twenty-two years later, he dropped out of college to work as an organizer for Ted Kennedy's presidential campaign. It is, in other words, no surprise that he would see himself as an outsider. What's sometimes surprising is how pervasive the feeling is. At the height of the Dean phenomenon, when the world was ready to crown Dean the nominee, Trippi favored allusions to *For Love of the Game*, a movie about a washed-up pitcher on a lousy team who somehow pitches a perfect game against the Yankees. "We stink!" the Deaniacs would yell, adapting a line from the

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movie. "But we're the best team in baseball right now."

Or take his decision to join the Edwards campaign. Trippi first turned down the offer after meeting with John and Elizabeth in North Carolina. It was probably a wise decision, given that he suffers from Type 2 diabetes. (He also recently developed diabetic neuropathy, a condition that triggers an intense stabbing sensation; Trippi takes anti-seizure medication to control it.) A few weeks after declining the job, Trippi heard the rumor that Elizabeth's cancer had recurred and Edwards was getting out of the race. "I've got MSNBC going . . . and, um, you know, I'm laying back like this, going yeah, that's really too bad. I really liked them. . . . So they walked out and said they were going to keep going." Trippi was floored. "Here I am, feeling all sorry for myself with my anti-seizure medicine, and they can go." Finally, Trippi said to himself, "Dude, you're fifty-one. You spent your whole life trying to make a difference in politics. And you can make a difference with them. And they're going to soldier on with this. Get up. Go to the phone. Call."

In this sense, Trippi's way of framing campaigns is almost a perfect extension of his personality. The Dean campaign delighted in attacking the Democratic establishment. Trippi quickly honed Edwards's message along the same lines, which meant turning fire on Hillary Clinton. An e-mail Trippi sent out in September called Hillary a "corporate Democratic insider" and said that "there isn't an American outside of Washington who would not be sickened" by a fund-raiser she planned to hold involving lobbyists and members of Congress. Edwards himself began channeling Dean, too. At a debate in August, Edwards took a veiled shot at Hillary so Dean-like it shocked some of his staffers. "You will never see a picture of me on the front of *Fortune* magazine saying, 'I am the candidate that big corporate America is betting on,'" Edwards said, alluding to a cover story about Clinton. "That will never happen. That's one thing you can take to the bank."

Even Trippi's personal dealings are colored by his Jedi-versus-Death-Star worldview. The Dean campaign famously split between Trippi and his tech-savvy loyalists, on the one hand, and a corps of Vermont hands on the other. Trippi (probably correctly, in retrospect) came to view the Vermonters as a dark force plotting against him. The Edwards campaign, too, has developed Trippi and anti-Trippi factions—with the latter composed mostly of veterans of Edwards's first run for president. "If you weren't there for the last cycle, it's not weird for you," says a former aide with ties to the old guard. "But, for people who were there, there have been adjustments."

One of the things you often hear said about Trippi is that, out of every ten ideas he has, one or five or nine will be brilliant (the numbers vary according to how the person feels about him), and the rest will be disastrous. The trick, according to this view, is to have people around him who can screen out the duds.

I think this is true but incomplete. The Democratic primary Trippi is perhaps most obsessed with is 1984, when Gary Hart challenged Walter Mondale. Trippi talks constantly about the race around Edwards campaign headquarters, and he brings it up with me, too. On February 28 of that year, Mondale enjoyed the largest-ever lead by a non-incumbent in a nationwide poll. "Look at the banner headline in *The New York Times*," Trippi tells me, searching for the article on his laptop. "It's 'Mondale Leads Rivals by Record Level.' It was Mondale fifty-seven, Jesse Jackson eight the morning of the New Hampshire primary." And, yet, Hart somehow won New Hampshire and went on to give Mondale the fight of his life.

On one level, the story is another example of Trippi's sympathy for the underdog. But what's curious about it is this: Trippi actually worked for *Mondale* that year. Listen to him tell it often enough, and you get the impression that there's something else going on. You begin to suspect Trippi would rather lose in style than win boring or ugly—as though he were not so much an operative as an aesthete who just happened to work in politics. Trying to engineer a spectacular victory—trying to pitch that perfect game—may cause you to crash and burn from time to time. But that's the price you pay for art.

The night after the Dartmouth debate, I happened to overhear Trippi at the airport in Manchester, New Hampshire. He was having a heated phone conversation with another reporter, and, after he hung up, I tapped him on the shoulder. "Great night for you guys last night," I said. He looked frazzled. "Man, you guys just don't understand what we're trying to do with this public financing thing."

The "public financing thing" was Edwards's announcement earlier that day, during an interview with CNN, that he planned to accept federal matching funds. The decision would give him an infusion of cash but impose strict spending limits. The press immediately interpreted it as evidence that the campaign was broke, leading to two days of negative stories. What left most people scratching their head wasn't the decision itself—if you're broke, you're broke, there's no way around it—but the timing. It was mystifying that, at precisely the moment Edwards had put Hillary on the defensive and was riding high, the campaign would raise unprompted questions about its own viability. It had Trippi's fingerprints all over it.

The fallout was swift among Edwards's money men. "I had thirty to forty phone calls in a period of a couple hours," says Fred Baron, Edwards's finance chairman. "[Trippi] apologized; I accepted. . . . It likely won't happen again." Still, some in the campaign smelled blood and, over the next few weeks, worked to marginalize one of Trippi's lieutenants.

When I later asked Trippi about the public financing announcement, he seemed contrite. "I was one of the people that argued for doing it that day. . . . Harrison [Hickman] argued against it and should deserve credit for being right." But there had been a rationale: Throughout the campaign, Edwards had been hectoring Clinton about taking contributions from lobbyists. Each time he did, Clinton would say that spurning lobbyists wasn't the answer; the answer was public financing. Now that Edwards was going to have to take public financing anyway, why not call her bluff? That's where Trippi came in. "We had just had a great debate night. So now: 'Join us. You said public financing. We're going to do it. Join us, or tell the American people why you didn't mean what you said,'" he explained, suddenly perking up. "What we didn't expect was the cynicism of the press corps, which never even went and asked her. I mean, to this day, I don't think there's a single reporter who went and said, 'Hey, he's doing this, are you going to join him?'"

It was a highly questionable assumption: Hillary had made it clear for almost two years that she would be opting out of the public financing system. Why would any reporter bother asking her about it now? But, you had to admit, the logic had a certain elegance. You could almost imagine some alternate universe where the press had grabbed the story and spent the next two days pestering Hillary, not Edwards. It was the same universe where Gary Hart had beaten Walter Mondale and Howard Dean had won Iowa. That this universe never existed didn't necessarily detract from Trippi's enjoyment of it. ◆

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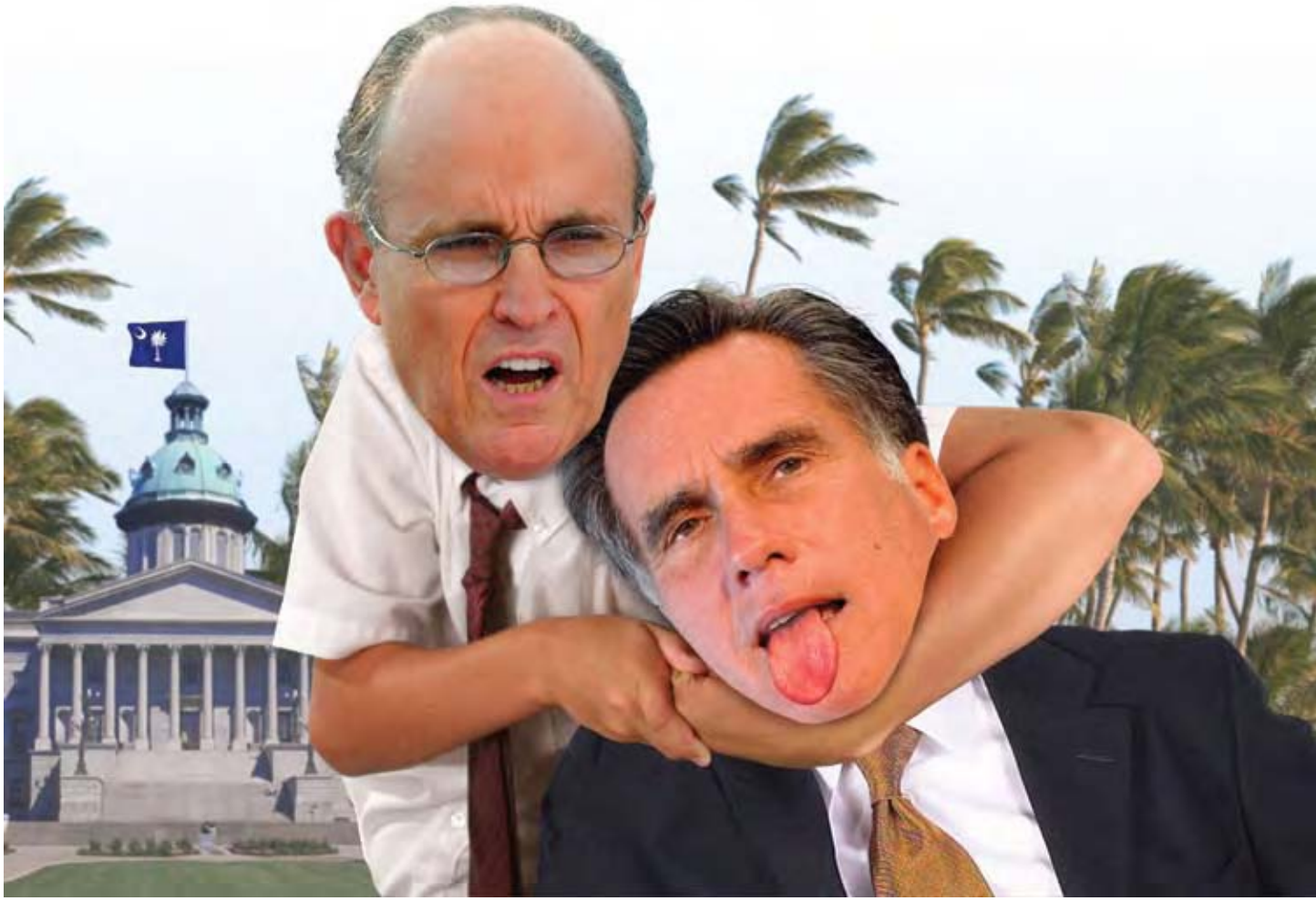
Low Country

Dirtier! Nastier! Slimier! South Carolina '08.

MICHAEL CROWLEY

Shortly before a Republican presidential primary debate in Columbia, South Carolina, this last May, several conservative activists in the state received mysterious envelopes in the mail. The letters arrived anonymously, each one containing an eight-page document, a typewritten manifesto with a pseudo-academic title: "Mormons in Contemporary American Society: A Politically Dangerous Religion?" The letters depicted Mormonism as based on "hoaxes" and ridiculed the church's founder, Joseph Smith, as a "gold digger turned prophet." The mailing also provocatively dubbed Smith "the Mohammed of the West." "Like the prophet of Islam," it said, "Smith founded his religion upon prophecies and revelations which commanded him to become a polygamist and warlord. Many centuries apart, these two men became the focal point of large religions that blurred the lines between religion, war, domestic life and politics." The letters also suggested that Mormons take direct orders from church leaders. They didn't have to name him to make it clear whom they were targeting: Republican presidential candidate—and devout Mormon—Mitt Romney.

This being South Carolina, the Romney camp assumed a rival campaign had sent the letter. After all, this wasn't the first subterranean attack on their candidate. Just before a March GOP straw poll in Spartanburg, someone using the e-mail address upstaterepublican@gmail.com mass-mailed a missive titled, "Mitt Romney has a family secret he doesn't want you to know." "Those dark suspicions you hide deep inside yourself about Mormonism are trying to tell you something," it read. "Trust your instincts! . . . The light of truth will burn through the smoke and mirrors of Mitt Romney's movie star looks and crafty words!" The e-mails arrived around the same time as another anonymous letter, a six-page diatribe titled "Mitt Romney: Say anything to get elected," which ripped the former Massachusetts governor for his positions on abortion, gun



AFP PHOTO/SUZANNE PLUNKETT (GIULIANI); UPI PHOTO/JIM RUYMEN (ROMNEY)

Lou Beach

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control, and "conservative values."

Romney is hardly the innocent victim, though. In September, just as Fred Thompson was preparing to enter the Republican presidential field, PhoneyFred.org appeared. The website was equal parts sophomoric parody and character assassination. Its home page featured an absurd image of Thompson in a period costume with a frilly scarf and gilded jacket (presumably from an acting role). Another photograph featured a grinning shot of the Tennessean surrounded, via Photoshop, by several women to whom he's been romantically linked. The site directed viewers to dirt on Thompson via links with such titles as HOLLYWOOD FRED, WASHINGTON FRED, TRIAL LAWYER FRED, MORON FRED, and PLAYBOY FRED. "[W]e figured it was about time that we did a little research into what Fred Thompson (not Arthur Branch) really stands for," explained a welcome message on the site, referring to the character Thompson plays on "Law & Order." But *The Washington Post* did a little research, too, and traced the site to the consulting firm of Warren Tompkins, perhaps the top political operative in South Carolina—and a consultant to the Romney campaign.

While the Republican field remains focused on Iowa and New Hampshire, South Carolina has already developed into the sleaziest leg of the presidential race. That comes as no surprise. The Palmetto State has long practiced an unusually grubby brand of politics. Many presidential candidates would probably skip it altogether if they could. ("They play with live ammo down there!" squawks one campaign aide.) But South Carolina is far too important for that: Not since 1976 has a Republican candidate been nominated without winning the state's contest, the third of the primary season. (This year, Michigan may vote earlier, and Nevada caucuses on the same day—but it's South Carolina the GOP candidates are most focused on.)

As the 2008 Republicans trudge toward this political Mordor, they do so bracing for what threaten to be new lows of attack politics. John McCain's reputation was slandered (and his candidacy ruined) here in 2000—and he was a war hero. By contrast, the current leaders of the GOP field—Romney, Thompson, and Rudy Giuliani—seem almost tailor-made for the state's smear machine. Romney's opponents are salivating over his Mormonism. Giuliani's marital history, gay friends, and past appearances in drag are all ideal fodder for dead-of-night windshield pamphlets. And one upstate county Republican chairman has already sneered publicly at Thompson's "trophy wife." "It's gonna be brutal," chuckles state Democratic chairwoman Carol Fowler. For the 2008 Republicans, then, winning South Carolina may be less a matter of pulling off a clear victory than simply getting out alive.

EIGHT YEARS AGO, George W. Bush's supporters, apparently backed by the state's GOP establishment, dragged John McCain's name through the South Carolina mud. Church fliers declared him "the fag candidate." A fringe veterans' group denounced him as a traitor. Anonymous "push-poll" phone calls told voters that he had an illegitimate black child. One Bob Jones University professor even sent a mass e-mail falsely stating that McCain had "chosen to sire children without marriage." Challenged on CNN, the professor responded, "Can you prove that there aren't any?" (Who says BJU isn't academically rigorous?)

So, in 2008, McCain's plan in South Carolina was to be the establishment candidate, the aggressor not the victim. One sign was his decision to re-hire his savvy local political consultant from 2000, Richard Quinn, whose editorship of the *Southern Partisan Quarterly Review*, which extols Confederate leaders and has played down the brutality of the slave trade, had caused McCain p.r. headaches. He also scored early endorsements from state GOP honchos, like Senator Lindsey Graham, Attorney General Henry McMaster, and a majority of Republicans in the legislature. By early this year, McCain seemed well on his way to building a South Carolina Death Star.

But, after McCain's national campaign went broke this summer, he had to scrap much of his South Carolina team. Now it's Mitt Romney who is building a political juggernaut. Last year, Romney hired Tompkins, who was Bush's chief strategist in the 2000 primary. He's also snapped up several experienced field operatives fresh from the state GOP's "2006 Victory" team. And he recently landed the endorsement of Bob Jones III, chancellor of the Greenville-based Christian university that bears his name—a jackpot for a Mormon trying to insulate himself from doubts among evangelical voters.

Still, the race remains a muddle. Romney has lagged in the polls behind front-runners Fred Thompson, who seems to be benefiting from his Southern roots, and Rudy Giuliani, whose star power and "toughness" obscure a weak ground team.

Of course, those numbers can and probably will change—not least as voters wrestle with Giuliani's fundamental moderation on social concerns, like gun control and gay rights. (At one event in early October, Rudy even suggested that the Lewinsky scandal had been overblown.) "It's only a matter of time before Romney or a 527 starts blasting Rudy on those issues down here," says Greenville Republican strategist Jay W. Ragley, who is not aligned with any candidate. Should those attacks succeed, Republican voters in later primary states on whom Giuliani is counting might conclude that he's damaged goods, unable to rally Republicans in a general election.

IT IS RUDY'S terrible luck that South Carolina comes so early in the GOP primary schedule. And, ironically enough, that itself is something of a dirty trick, one devised by Lee Atwater. Atwater was, of course, the mastermind of the 1988 attack campaign against Michael Dukakis, starring furloughed-felon-turned-rapist Willie Horton, as well as of great prior campaign stunts like saying a rival candidate who'd been treated for depression was "hooked up to jumper cables" and mailing voters a questionnaire asking them to reflect on another candidate's Jewishness. (Atwater denied the latter.)

In 1980, a young Atwater, who once showed up at a college party with a slaughtered pig's head on a stake, was backing Ronald Reagan's presidential campaign when he proposed to vault Reagan to front-runner status by engineering a prominent win for him in Atwater's home state. The plan worked, and South Carolina never gave up its newfound political influence. Since then, it has become a place where the political establishment props up its stumbling favorites, as it did for George H.W. Bush in both 1988 and 1992. In 1996, after Pat Buchanan defeated Bob Dole in New Hampshire, local leaders ordered evangelicals, who in their hearts preferred the populist insurgent, to side with Dole instead, sending him back on his way to his nomination. And, after McCain stunned George W. Bush in the 2000 New Hampshire primary, the Bush presidency looked like a lost dream until McCain's trip through the

ANTHONY RUSSO

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state's meat grinder. The pattern grew so familiar that, last January, one local GOP consultant told *The Washington Post* that South Carolina often has to "clean up the mess we inherit from the earlier states."

But 2008 could tell a different story. The GOP establishment that long ran the state has faded, thanks in part to the deaths of Senator Strom Thurmond and former governor Carroll Campbell. "It's a new frontier," says Jim Corbett, state director for Sam Brownback's short-lived presidential bid. "It's wide open. The establishment—experienced, politically involved people—are spread out among the candidates." Instead of an epic two-front war, then, next year South Carolina promises to be a bloody circular firing squad.

Of all the Republican candidates, Romney may have the most to fear from a vicious South Carolina primary. An effective smear campaign about his Mormonism could ruin him with the state's critical evangelical voting bloc. Rudy Giuliani may have worn a dress and Fred Thompson might have a "trophy wife," the thinking would go, but at least they worship the right god. Romney, however, may have insulated himself by hiring Warren Tompkins to run his campaign.

The dirty work of South Carolina politics is conducted by a small crew of operatives who studied at Atwater's elbow. "All of us in this state directly or indirectly trained under him," says Rod Shealy, a veteran GOP consultant not aligned with any campaign. Atwater instilled in his followers a sense of politics as a game with no rules—one in which treachery was a virtue and not a vice. "People here wear dirty tricks like a badge of honor," says Ragley. They are an irascible lot, often rumpled and wearing garb like Hawaiian shirts and safari hats. "They're really unkempt and eccentric—not like Charleston white boys in boat shoes and bow ties," says one local Democrat. South Carolina operatives tend to congregate in joints with names like the Lizard's Thicket and the Back Porch (co-owned by the son of McCain's consultant Richard Quinn, in fact). Many also have sketchy histories. Shealy himself was once convicted of violating campaign laws after he convinced a black man facing felony charges to join a statewide campaign; the plan was to drive up white voter turnout in favor of Shealy's sister, who was a candidate. Quinn has his association with *Southern Partisan*. And, to some, the recent anonymous e-mails about Romney recalled a 2002 incident involving Quinn's employee, Trey Walker, John McCain's state campaign manager, who was caught sending an unflattering article about a local candidate from an e-mail address meant to seem like it belonged to Shealy. So goes the internecine world of South Carolina politics.

But, even among this motley crew, Warren Tompkins stands out: "The God of Hell" is how one fellow operative describes him. Tompkins grew up with Atwater, and he is said to most closely emulate his late friend's political style. "Warren is Lee Atwater in a business suit," says University of South Carolina professor Blease Graham, contrasting Atwater's slovenliness with the smooth business demeanor of Tompkins, who has enriched himself in recent years as a corporate lobbyist. Everyone in South Carolina assumes it was Tompkins who stage-managed the savaging of John McCain in 2000, even if he was taking cues from Karl Rove. "I think the mastermind resided someplace else, but I think [Tompkins] was the instrument of it," says former McCain adviser John Weaver. Hence, few people were surprised to learn that the PhoneyFred website was traced back to Tompkins's firm. (Tompkins said a subordinate acted on his own.)

Even with Tompkins as his secret weapon, however, Romney is hardly in the clear. The day after he was endorsed by Bob Jones III, *The Greenville News* printed an e-mail comment from a "self-described rank-and-file conservative" named Wayne Owens, who declared, "As Christians we should not endorse a cult member as our president." When I read this quote to a Republican with presidential campaign experience in the state, he cackled and declared, "That was probably sent by Rudy Giuliani's county chairman!"

He was joking. But, by South Carolina standards, a bogus e-mail to a reporter would hardly be shocking. Indeed, it may be the new business as usual. As Shealy notes, "The anonymity of the Internet is going to take the whole game to a new and much lower level than thought possible." Last April, one anonymous blog—"McCain SC," the "Unofficial Home for Palmetto State McCainiacs"—hawked a New York tabloid story alleging that Giuliani's wife Judith was "involved in a program that killed innocent puppies" to test medical products. It sounds like the McCain team may have learned its lesson back in 2000, and now knows the secret to victory: When in South Carolina, do as the South Carolinians do. ◆

Blog Heaven.
Walk the Plank
TNR staff slices and dices Topic A
Get on the Stump
Michael Crowley and Noam Scheiber cover Campaign '08
Grow a Spine
Martin Peretz tours the world
The New TNR.com

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Say Anything

What the Renaissance teaches us about torture.

ANTHONY GRAFTON

Just over half a century ago, the great historian J.H. Hexter set out to teach the world a modest lesson. In an essay titled "The Historian and his Day," he used the example of his own life to refute the claim—a common one in his era and ours—that historians, caught up in the passions and controversies of their own time, cannot view the past objectively. In fact, he explained, he usually worked in the opposite way. Hexter spent the bulk of his time not in the present but in the past, or at least in its remains: the records of earlier centuries that his job at Queens College required him to interpret. When called on to understand a contemporary political or social problem, he responded by marshalling his much deeper expertise about history: "Instead of the passions, prejudices, assumptions and prepossessions, the events, crises and tensions of the present dominating my view of the past, *it is the other way about*. . . . I make sense of present-day welfare-state policy by thinking of it in connection with the 'commonwealth' policies of Elizabeth."

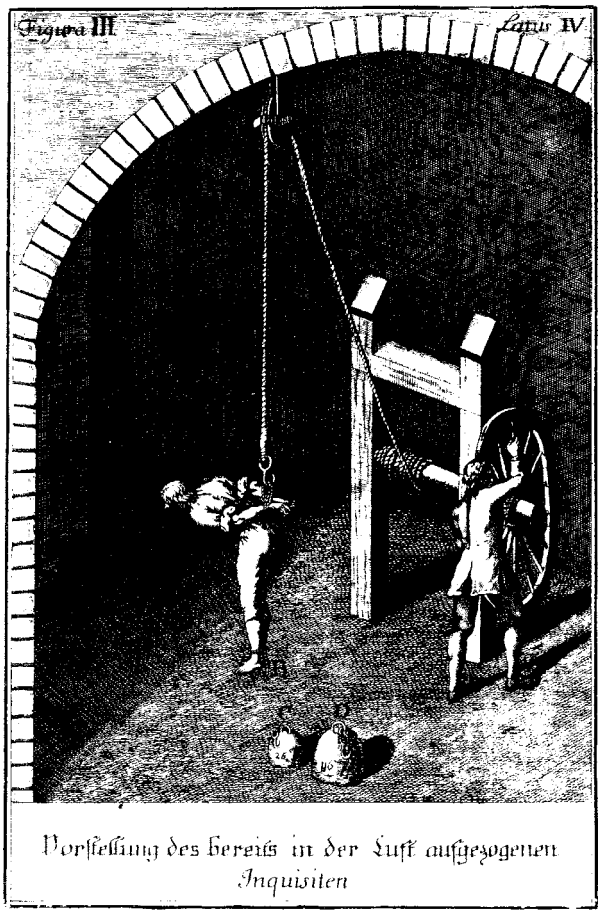
In recent weeks, I have found myself appreciating Hexter's work even more than when I first read it. Like him, I am a historian. Like him, I spend most of my time in the years between 1400 and 1700. And, like him, I have found that, if you devote yourself to reading early modern sources, you see a surprising number of things that illuminate our current situation.

Specifically, I have been working on a book about magic in Renaissance Europe. The subject could hardly seem more academic. And, yet, it has made me confront a body of fact and experience that speaks directly to the present. Magic was prestigious in the sixteenth and seventeenth centuries, but it was also dangerous. Many of those who practiced it borrowed terms, ideas, and amulets from the Jews—a people often seen as particularly magical and suspect. Magicians claimed that they practiced a high, learned art, one that drew only on the natural powers of stones and plants and planets. But they were constantly mistaken for witches: the men and women, widely thought to be ubiquitous, who supposedly sold their souls to the devil in return for power to do harm. More than one magician, finally, convinced himself that he possessed substantial powers: powers so vast that he could challenge the church in the name of his own ability to bring about miracles more astounding than those of Jesus.

In exploring these risky beliefs and their consequences, I found myself abruptly transported, again and again, from the distant past to the present. As I followed the fates of Jews and magicians, I encountered a body of information about torture and its uses—information that was put down on the spot by sworn notaries and witnessed by others in an age when those who ordered torture did not pretend otherwise, much less claim that they could annul the practice by calling it "enhanced interrogation." The historians who assembled this evidence did so in order to understand the past. Nonetheless, they have helped me see the present in perspective.

Modern scholars have long been both fascinated and horrified by torture. The pioneering medievalist Henry Charles Lea—who, in the nineteenth century, penned the first systematic, documented history of the Inquisition—wrote at length about the ways in which inquisitors had used torture to make prisoners confess heretical views and actions. An enlightened man writing in what he saw as an enlightened age, he looked back in horror at these barbarous practices and condemned them with a clarity that anyone reading public statements now must envy. Lea's successors—the British social historian Henry Kamen, the Yale legal historian John Langbein, and the University of Pennsylvania medievalist Edward Peters, among others—have modified his account in many ways. They have shown that the Inquisition was both fairer and less brutal than he held, and they have explained the abolition of judicial torture as the result not of the new critical spirit of the Enlightenment but of changes in the law of proof. (That is, as a range of penalties lighter than execution became available, judges no longer felt they had to have a confession in order to convict a subject—the principle that had necessitated the widespread use of torture in the first place.) Yet scholars continue to admire Lea's immense learning, and they still cite his accounts of the actual instruments of torture and the ways in which these were applied.

Most recently, historians of a new generation have plumbed the archives, where they have



Vorstellung des bereits in der Luft aufgezogenen Inquisiten

STRAPPADO, REPRODUCED WITH PERMISSION FROM *TORTURE AND THE LAW OF PROOF*, UNIVERSITY OF CHICAGO PRESS, 2006

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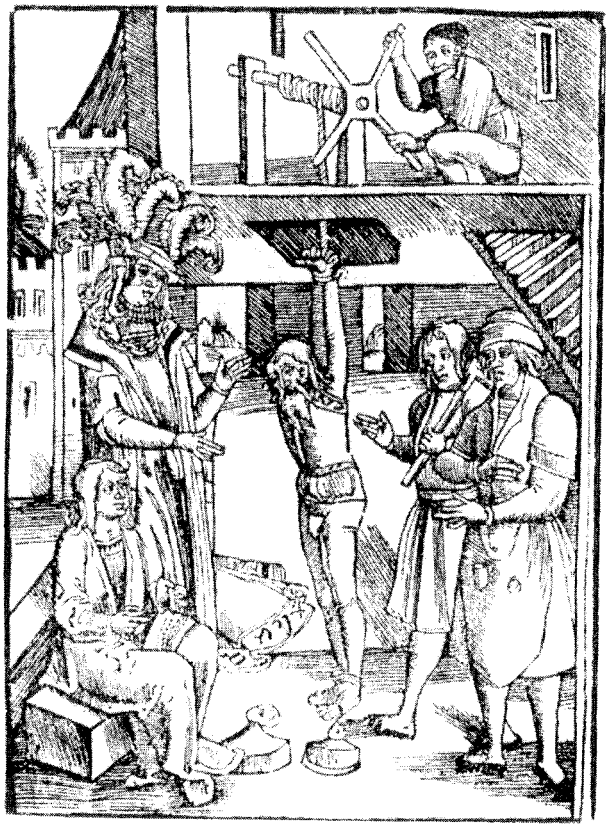
discovered a much wider range of documents than Lea knew, including many transcripts of actual trials. They have taught us much about the effects of torture as inflicted by professionals who were trained to use pain as a tool of inquiry. And their research makes clear that torture—as inflicted in the past—was anything but a sure way of arriving at the truth.



STRAPPADO, REPRODUCED WITH PERMISSION FROM *THE MYTH OF RITUAL MURDER*, YALE UNIVERSITY PRESS, 1988

In 1475, three Jewish households in Trent, a city in northern Italy, were accused of murdering a Christian boy named Simon. Supposedly, they needed his blood to carry out the Passover ritual. The "blood libel"—the theory that Jews drank Christian blood or used it in the making of matzo—was already well-established by this time, and a number of Jews had been executed for these crimes since the twelfth century. But in the late fifteenth century, the accusations turned, as Ronnie Po-chia Hsia has shown in two brilliant books, into something more pervasive: a "discourse of ritual murder," given credence, especially in nearby Germany, by illustrated pamphlets and songs that retold the stories in dramatic, accessible ways, and reinforced by a series of trials and executions. The trial at Trent not only served as a model but also directly gave rise to persecutions elsewhere, as desperate Jewish defendants implicated their coreligionists in other cities.

The surviving records of the Trent trial make clear why Jews confessed that they committed these terrible crimes. Once the Jews had been accused and imprisoned, they were systematically interrogated. The podestà, a city official, asked questions; the accused answered. Like other authorities in the areas governed by Roman law—which treated external evidence as mere clues, not proof of guilt—they needed to win confessions from their suspects in order to convict them. As soon as the answers seemed evasive or stubborn, the torturer tied the accused person's arms behind his or her back. Using a pulley, he would lift the defendant, agonizingly, toward the ceiling. Then, at the podestà's orders, the torturer would make the accused "jump" or "dance"—pulling him or her up, then releasing the rope, dislocating limbs and inflicting stunning pain. Other, complementary ways of making the Jews speak included placing onions and sulfur under their noses, which seems to have had a powerful effect, and holding hot eggs under their arms. But the pulley system, known as a strappado, was enough for most.

To read the records of the Trent Inquisition, which Hsia and the Italian scholars Diego Quaglioni and Anna Esposito have studied in detail, is to listen to transactions that shake the mind. The transcripts of the interrogations, made by secretaries appointed by the court, are often cast in disturbingly flat prose and in the third person—but leave no doubt as to the meaning or tone of the original remarks. Early in the process, you hear suspects desperately trying to maintain their innocence. For instance, Samuel, the head of one of the Jewish families, asks the podestà—while dangling in the air—where he had learned that Jews needed Christian blood. The podestà answers that he had learned this from the Jews and demanded "the truth, the truth!" According to the record of the proceedings, Samuel "answered: He has said it and they are torturing him unjustly. At that, it was ordered to make him jump two or three arm's length. So there he hung and said: 'God the Helper and Truth help me.' And after he had been hanging for two thirds of an hour, it was ordered to let him down and return him to prison."

Far worse, you can also hear the Jews, once broken, trying to confess. They strive desperately to find the right words, the ones that would confirm the podestà's suspicions and corroborate the forced confessions of their peers without implicating anyone who was not already a suspect. Samuel confessed only after another strappado session in which he had sulfur held under his nose and beams tied to his legs. Even then, he named only one other Jew. It took still more time with the strappado—as well as a drink of holy water and hot eggs under his armpits—to make him break down completely and invent the Jewish plot to commit ritual murder that the podestà wanted, naming names and giving details.

Once or twice, through the constricted, formulaic language of the trial record, you can even hear a suspect speaking back, defying his torturers:

> Podestà: What did he think of the Christian faith?
>
> Israel: He wants to say the truth. He does not believe in anything of the Christian faith. … It is a joke to say that God came down from heaven to earth, walked around and lived among men. He believes only in God and nothing more. He believes also that the Jewish faith is right and holy.

Israel's savage irony reflected his rage and despair. So did his eventual confession that Jews really ate Christian blood.

Indeed, hardly anyone resisted for long—though two of the women, as Hsia shows, made subtle efforts to exonerate accused Jewish children. Once they broke, the witnesses filled in every detail the Christians wanted. They implicated loved ones, friends, and members of other Jewish communities. They died, hideously. And they became the villains of Christian images and songs.

Amazingly, some still maintain that their confessions were valid. There are websites insisting that Simon of Trent is really a saint, even though the Catholic Church, after inquiry, removed him from the calendar of saints in 1965. Recently, the amateur merchants of holy filth were joined by a professional scholar. Israeli historian Ariel Toaff argued in a strange book, steeped in ambiguities, that the confessions might have contained some truth: that the tortured Jews really did, sometimes, use Christian blood for ritual ends.

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But this flies in the face of everything we know about normal Jewish life—notably, the simple fact that eating blood is forbidden by Jewish law. It also ignores—as the websites do—that the Jews were telling their Christian tormenters exactly what they wanted to hear. As the medievalist David Abulafia explained in the *Times Literary Supplement*, "Toaff's handling of the evidence is deeply flawed; he takes extorted statements at face value." Nowadays, no competent historian trusts confessions wrung by torture that confirm the strange and fixed ideas of the torturer. Carlo Ginzburg, one of the most gifted explorers of Inquisition records, has taught us that they deserve credence precisely when the witnesses make statements that surprise those who are questioning them, not when they confirm prejudices that had been stirred up by friars committed to denouncing Jews and further exacerbated by tensions between neighbors.

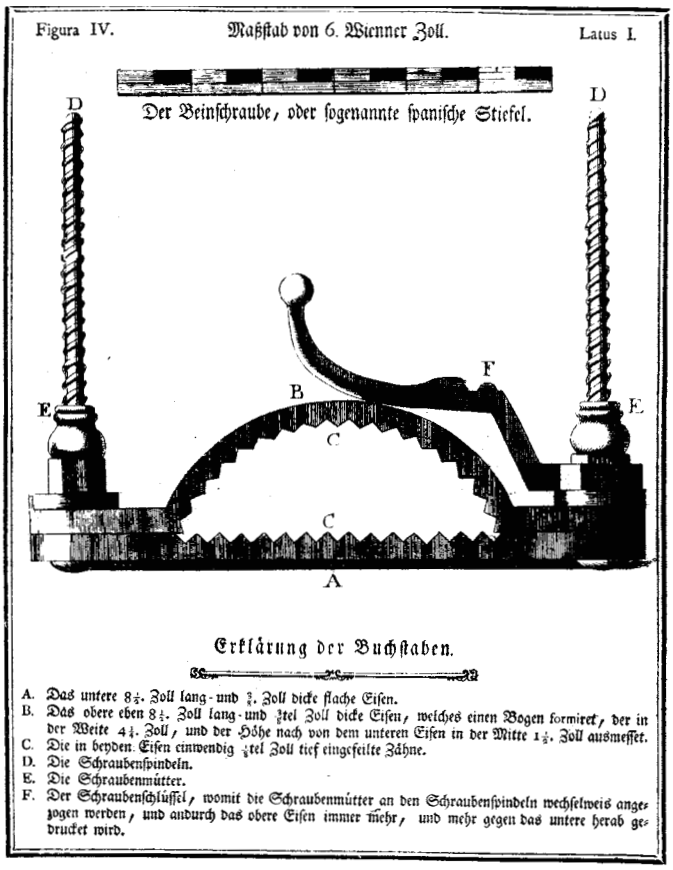
Figura IV.
Maßstab von 6. Wiener Zoll.
Latus I.
Der Beinschraube, oder sogenannte spanische Stiefel.
D
D
E
E
B
F
C
C
A
Erklärung der Buchstaben.
A. Das untere 8½. Zoll lang- und ¾. Zoll dicke flache Eisen.
B. Das obere eben 8½. Zoll lang- und ¾tel Zoll dicke Eisen, welches einen Bogen formiret, der in der Weite 4½. Zoll, und der Höhe nach von dem unteren Eisen in der Mitte 1½. Zoll ausmesset.
C. Die in beyden Eisen einwendig ¼tel Zoll tief eingefeilte Zähne.
D. Die Schraubenspindeln.
E. Die Schraubenmütter.
F. Der Schraubenschlüssel, womit die Schraubenmütter an den Schraubenspindeln wechselweis angezogen werden, und dadurch das obere Eisen immer mehr, und mehr gegen das untere herab gedrucket wird.

The conclusion—drawn by the vast majority of modern scholars who have studied this material—is that torture could compel ordinary Jews, law-abiding craftsmen and housewives and teenagers, to confess fantastic crimes. Torn from their normal lives, imprisoned, subjected to terrifying, intense pain, most of them would, quite simply, say anything. Only the bravest held up for long—and, with just a few exceptions, even they eventually broke as well.

Jews did not suffer alone. In the sixteenth and seventeenth centuries, witches joined them as victims of torture, and their experiences are even more revealing for the present. Drawing on the detailed prescriptions of the *Malleus Maleficarum*, a guide to the practices of witches that reads like a strange amalgam of Monty Python and *Mein Kampf*, torturers treated the men and women who had been accused of giving themselves to the devil exactly as their counterparts at Trent and elsewhere had treated Jews. Again, the strappado was applied. And, again, the accused confessed—confessed doing things that violated the laws not only of Moses, but of nature itself. Witch after witch admitted having flown to a Sabbat—a meeting where witches supposedly worshipped the devil—as well as having destroyed crops, killed babies, and made men impotent by giving them the illusion that they had lost their penises. Most of the accusers probably believed their charges, which had the support of learned authority. Some of the accused witches, as the Oxford historian Lyndal Roper has argued, also internalized the accusations as they were tortured and confessed—actually accepting the view that they were guilty. But they weren't. Whenever a rare skeptic materialized and tried to verify the charges, they proved false. In 1612, Alonso de Salazar Frías had doctors and pharmacists examine 22 jars of supposed "potions, powders and ointments." Not only did they fail to make anyone ill or enable anyone to fly, they proved entirely harmless—even when a woman thought to be a witch had to eat one of them in public. Evidently, Salazar reported, "they were only made by people who were forced to fabricate these things"—as others fabricated their confessions, to satisfy their inquisitors. Unsurprisingly, in England, where torture was not normally used, witches were far less likely to confess to the range of physically impossible crimes that they admitted to on the Continent.

Not everyone who was tortured, however, was innocent. The Dominican Tommaso Campanella, a great utopian thinker and a serious philosopher, was also a terrorist, to use a modern term that more or less fits his deeds. He walked the back roads of his native Calabria, where he urged the immiserated peasants to rise up against the tyranny of state and church. He told them that Jesus had not been the son of God but a magician, and he claimed that he himself had even greater magical powers. Thanks to the miracles he would work, and to an alliance he had made with the Turks, he hoped to throw off the yoke of Christianity and usher in a new "Age of the Spirit."

Captured by the authorities, Campanella was subjected to the strappado for 36 hours without a break. The records of his interrogation, like those of the Jews of Trent, inspire horror—horror at the ability of the inquisitors to destroy their own souls as they expertly labored to save Campanella's by making him confess. But he resisted, feigning insanity, and kept up the pretense so consistently that he could not be broken or executed. Instead, he was imprisoned for many years—surviving to eventually advise Pope Urban VIII on how to avoid the evil astrological effects of an eclipse. Campanella himself described his refusal to confess as a miracle—a violation of the laws of nature. Yet, in this instance, the accusations were true. Campanella's story makes clear that someone who opposed the existing order from conviction could stand up to unimaginable pain without breaking. This, too, has not ceased to be the case.

Living mostly in the Renaissance, I have learned something that matters from my colleagues. Torture does not obtain truth. Applied with leading questions, it can make most ordinary people—as it would certainly make me—say anything their examiners want, if they can only work out what that is. Applied to the extraordinarily defiant, it may not work at all. In either case, it is not an instrument that a decent society has any business applying. Anyone who claims otherwise abandons the Enlightenment ideals that brought our country into being—and stands with the torturers of Trent against the Jews who did their best to speak the truth. ◆

LEGSCREW, REPRODUCED WITH PERMISSION FROM *TORTURE AND THE LAW OF PROOF*, UNIVERSITY OF CHICAGO PRESS, 2006

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Professor Amy-Jill Levine (Ph.D., Duke University) is E. Rhodes and Leona B. Carpenter Professor of New Testament Studies at Vanderbilt University Divinity School, where she also holds the position of Director of the Carpenter Program in Religion, Gender, and Sexuality. She is a prodigious scholar, author, and lecturer.

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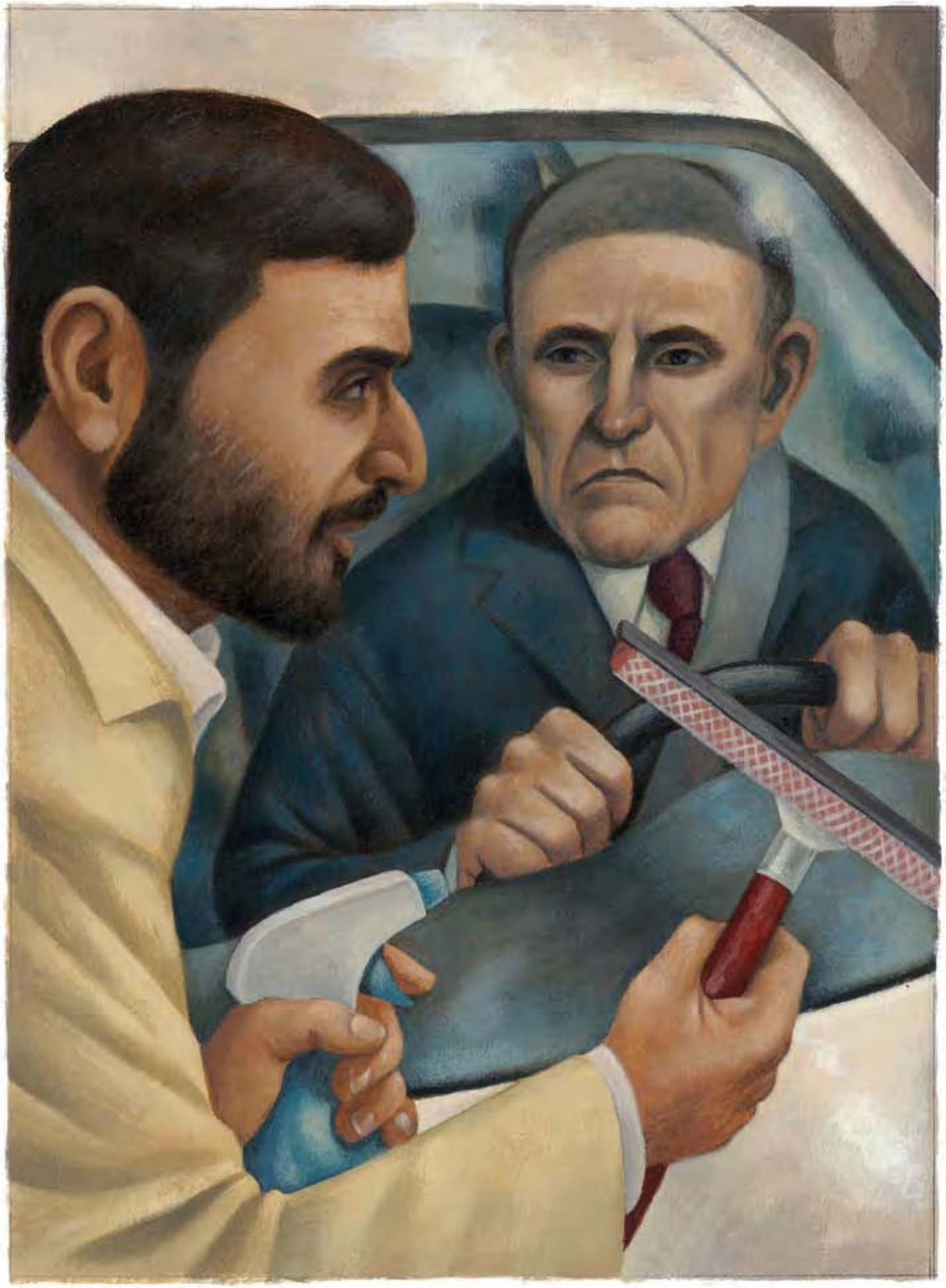

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Authority Figure

The childhood roots of Giuliani's strange view of liberty.

JOHN B. JUDIS

At a town hall meeting in Exeter, New Hampshire, last month, local resident Bob Roughsedge introduced Rudy Giuliani as "the next mayor of the United States." No one tittered or spoke up. Afterward, Roughsedge wasn't even aware of the slip, and Giuliani, who is usually quick to correct, did not seem aware of it either. Maybe that's because Giuliani is actually running to be mayor of the United States.

Giuliani is selling himself to voters on the basis of his service as New York's mayor. He is arguing that he has the kind of administrative experience that would prepare him to be president. "I've had a great deal of experience," Giuliani says. "I think it's the kind of experience that helps to prepare [you to be] president, if there's any experience that does." He also claims that he was an exceptionally successful mayor. "I took a city that was the crime capital of America, and I left a city that was the safest in America," he declares. And he is saying that his approach to governing the Big Apple is readily applicable to the national and international problems a president would face: "The things that I did as mayor of New York City, during very difficult times in New York City—not all of them, but many of them—are transferable to what America needs now, and that's why I'm asking people to vote for me."

Clearly, many Americans already buy the argument that Giuliani's tenure in New York has equipped him to be a successful president, as he leads the GOP field in nationwide polls. But, for those who remain unconvinced, there are two questions worth pondering. The first is whether Giuliani's tenure at City Hall was the unmitigated success he claims it to be, or whether he made significant missteps as mayor that he could also make as president. The second, and perhaps more important, question is how Giuliani's behavior as mayor—and his underlying philosophy of government—would translate to his conduct in the White House. To answer that question requires understanding Giuliani's particular view of liberty and authority.

By the time Giuliani took office as mayor in 1994, he had already enjoyed a spectacular career as a U.S. attorney, becoming the scourge of the Mafia and Wall Street inside-traders, including Michael Milken and Ivan Boesky. In addition, he had already acquired a philosophy of government and a way of dealing with subordinates that would mark his eight years as mayor. He picked up some of this approach in his years as a prosecutor, but most of his core beliefs can be traced to his childhood in New York and to his enrollment for 16 years in Catholic schools. Much of what struck liberal New Yorkers as odd about Giuliani becomes readily understandable when seen in this light.

Giuliani was born in 1944 and grew up as part of a large Italian-American extended family in Brooklyn. His grandmother lived with him and his parents, Harold and Helen D'Avanzo Giuliani. His mother's brother, who was married to his father's sister, lived downstairs, and other relatives lived nearby. Family members worked for each other, loaned each other money, and sometimes even married each other. (Rudy would marry his second cousin Regina Peruggi in 1968.) The bonds of family carried over to old friends. The son of Harold Giuliani's childhood friend Louis Carbonetti would end up working for Rudy's mayoral campaigns, and his grandson would work in the Giuliani administration.

The ties of family loyalty defied conventional morality. Four of Rudy's uncles were policemen, and another was a fireman. But his uncle Leo D'Avanzo was a bookie and loan shark with Mafia connections. According to Wayne Barrett's *Rudy!*—an invaluable guide to Giuliani's family and upbringing—Leo was seen as a black sheep, but he remained a part of the Giuliani-D'Avanzo extended family. When Leo bought a bar in which to house his operations, his brother Vincent, a patrolman, secured the business license, and the bar itself was called "Vincent's." Leo employed members of the family, notably Harold Giuliani. And, when Leo's son, Lewis, got in trouble, Harold and Rudy Giuliani interceded on his behalf.

Harold Giuliani led a troubled life. He wanted to be a boxer, but he couldn't see without thick glasses. Still, he lived much of his early life by his fists. In 1934, he was arrested for armed robbery and served a year and four months in Sing Sing. Afterward, he went to work in Leo D'Avanzo's bar as a bouncer and enforcer in charge of collecting loan payments and gambling debts. He left the bar for several years to work as a school custodian, but, after a nervous breakdown, he returned.

Harold never told his son about his criminal past—Rudy says he only found out about it in 2000, from Barrett's biography. The father was clearly ashamed of what he had done and tried to protect Rudy from his own unsavory life. He discouraged his only child from hanging around the bar with Leo's son, Lewis, and, in 1951, he moved the family to Garden City, Long Island, to get Rudy away from the bar. His message to his son was, essentially, do as I say, not as I do. In 2001, Rudy Giuliani told *Time* magazine, "He would say over and over, 'You can't take anything that's not yours. You can't steal. Never lie, never steal.' As a child and even as a young adult, I thought, 'What does he keep doing this for? I'm not going to steal anything.'"

His father's words, along with the example of other family members, had their effect. As a U.S. attorney, Rudy Giuliani prosecuted crooked cops, inside traders, corrupt politicians, and the Mafia. He never appears to have had any mob ties himself or, except for minor campaign infractions, to have engaged in any corrupt practices. He also reproduced in his capacity as a public official the extended family, bound together by loyalty, that he had grown up in—albeit, in this case, with a single dominant father figure. He called loyalty the "vital virtue" and surrounded himself with men and women who were sometimes termed "YesRudys." Bernard Kerik, who would serve as his police commissioner, once described entering Giuliani's inner circle as analogous to becoming a "made man in a Mafia family." Like the Giulianis and D'Avanzos, he also tolerated disreputable characters as long as they remained loyal.

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In Catholic schools, Giuliani learned the virtue of hard work and discipline, but he also acquired a Catholic outlook on government and society. At Bishop Loughlin in Brooklyn, an honors high school to which Giuliani commuted from Garden City, half his classes were devoted to the study of religion. At Manhattan College, he had to take theology as well as ancient and medieval philosophy (including Aristotle, Augustine, and Aquinas) during his first two years, and he studied philosophy and political science as a junior and senior. From all accounts, he took his lessons seriously. At one point, he even thought of becoming a priest.

There are two aspects of Catholic philosophy that show up clearly in Giuliani's political outlook. The first, which he would have found at almost any religious school, is a tendency to view politics and history as a moral contest between good and evil. That is sharply in contrast to a secular post-Enlightenment view of individuals—from presidents to petty thieves—as products of historical forces greater than themselves. The difference between Giuliani's view and the secular one would show up in his attitude toward crime and criminals.

Second, Giuliani was exposed to a specifically Catholic (as opposed to Protestant-individualist) view of the relationship between authority and liberty—one that dates from Aquinas's Christian Aristotelianism, was spelled out in Pope Leo XIII's *Encyclical on the Nature of Human Liberty*, and still enjoys currency today, even in the wake of Vatican II. Catholic thinkers do not see liberty as an end in itself, but as a means—a "natural endowment"—by which to achieve the common good. For that to happen, individuals have to be encouraged to use their liberty well; and that is where authority comes into play. Authority, embodied by law and the state, encourages—at times, forces—free individuals to contribute to the common good. Or, to put it in Aristotelian terms: Authority—by creating a just order—encourages liberty over license.

Of course, Giuliani made his career as a prosecutor rather than a philosopher, and there are certainly Catholic teachings he has repudiated or ignored. In 1989, wanting the New York Liberal Party's endorsement for his GOP mayoral bid, Giuliani renounced his past opposition to abortion and *Roe* v. *Wade*. But his exposure to Catholic and classical political thought clearly had a lasting impact on him. At a forum on crime in March 1994, sponsored by the *New York Post*, Giuliani voiced views on liberty and authority that seemed to flow from these teachings. He criticized liberals for seeing only "the oppressive side of authority." "What we don't see is that freedom is not a concept in which people can do anything they want, be anything they can be," he said. "Freedom is about authority. Freedom is about the willingness of every single human being to cede to lawful authority a great deal of discretion about what you do." Asked in the question period to explain what he meant, Giuliani said, "Authority protects freedom. Freedom can become anarchy." Norman Siegel, the executive director of the New York Civil Liberties Union, said afterward that he was "floored" by Giuliani's definition of liberty and authority. But anyone who studied philosophy at a Catholic college would not have been surprised by Giuliani's words.

In the nineteenth century, Catholic thinkers used the concepts of liberty and authority to criticize democracy, but there is nothing inherently antidemocratic about Christian Aristotelianism. In U.S. politics, it claims adherents as politically diverse as liberal Mario Cuomo—whose 1984 Democratic convention speech portraying the nation as a family was a stirring application of these principles—and conservative Pat Buchanan. But, just as the danger of Protestant individualism is that it can be used to rationalize plutocracy, the danger of Catholic communitarianism is that it can be used to rationalize a slide toward authoritarianism. Giuliani's ideas on liberty and authority were integral to his assault on crime in New York, but they also may have encouraged a penchant for using power to curtail freedom.

Unlike Irish immigrants or Jews after 1932, Italian-Americans were not committed to a particular political party. In New York, working-class Italians tended to be Democrats, while middle- and upper-class Italians tended to be Republicans. Fiorello LaGuardia, who was mayor of New York from 1934 to 1945, was an upper-class progressive Republican who was closely allied with Franklin Roosevelt; Vincent Impelletteri, mayor from 1950 to 1953, was a working-class conservative Democrat. Rudy Giuliani's parents fit this changeable mold. As Barrett recounts, they were registered Democrats when they lived in Brooklyn. When they moved to middle-class Garden City, they changed their registration to Republican.

ANTHONY RUSSO

When he went to high school and college, Rudy Giuliani, like many young Catholics, fell under the spell of John and then Robert Kennedy. He thought of himself as a liberal Democrat and volunteered for Bobby Kennedy's presidential campaign in 1968. He saw both men as strong leaders willing to use the full power of government to solve problems. In the Manhattan College student newspaper, he praised John Kennedy's support for "strong, large government," and rejected the Republican "laissez-faire" approach. "The Republicans must find men who will adequately address themselves to the problems of discrimination, of poverty, of education, of public housing, and the many more problems that Senator Goldwater and company throw aside in the name of small laissez-faire government," he wrote.

But Giuliani was not part of the 1960s counterculture or the New Left. He was against the Vietnam war because, he later explained, it "didn't meet the conditions of what Catholics call a just war," but he didn't demonstrate against it. One NYU law school classmate recalled him as "a real Robert Kennedy Democrat, a liberal, except on law and order." Over the next three decades, Giuliani would retain his support for a "strong, large government," but, after he became a U.S. attorney, he would see its principal purpose as ensuring law and order rather than providing housing or eliminating poverty.

Giuliani voted for George McGovern in 1972, but, shortly after he was appointed Ford's deputy associate attorney general in 1975, he changed his registration to Independent. In 1981, when Ronald Reagan appointed him associate attorney general, he changed his registration again, this time to Republican. In 1989, when he announced his first race for mayor of New York, he did so in a small room at the Metropolitan Republican Club where LaGuardia had announced his own run in 1933. During the 1989 primary, he would dally with running to the left of incumbent Ed Koch. But the liberal David Dinkins defeated Koch in the Democratic primary, and, rather than running as a progressive Republican, Giuliani ran on a law-and-order platform—the same approach he would take in his successful 1993 rematch with Dinkins.

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The writing of history isn't usually served well by presidential campaigns, and this one is no exception. To sum up his mayoralty, Giuliani likes to quote George Will's comment that "his eight years as mayor were the most successful episode of conservative governance in this country in the last fifty years." On the other side, Giuliani's liberal opponents, eager to undermine the main argument for his presidency, insist that he was a complete bust as mayor. In *Harper's*, Kevin Baker has described Giuliani as a "do-nothing mayor" who "accomplished almost nothing of significance." The truth in this case is somewhere in between. Giuliani had an outstanding first term and, until September 11, a less than spectacular, at times even disastrous, second term that brought out many of the weaknesses in his philosophy of government.

Giuliani's greatest achievements in his first term were, as he would himself say, the reduction in New York's crime rate and, equally important, the reduction in the popular fear of crime. In September 1990, *Time* had run a cover story titled, "The Rotting of the Big Apple." Five years later, *New York* magazine would run a cover story called, "The End of Crime as We Know It." Giuliani can't take all the credit for this, of course, but he approved the strategy by which the police reduced crime and appointed the man—Police Commissioner William Bratton—who carried it out. Not coincidentally, it was a strategy that perfectly accorded with his own approach to government.

When Giuliani took office in January 1994, some conservatives advised him to focus on cutting taxes. Influenced by the Manhattan Institute, Giuliani had begun to embrace the laissez-faire economic theories he had once scorned, but he still had his priorities. "Tax cuts are important, but so are other things—like law enforcement," he told supply-sider Lawrence Kudlow at a discussion that winter. Giuliani also rejected the liberal argument that, in order to reduce crime, he would have to address its "root causes," such as unemployment or poverty. Instead, he saw the problem as a contest between right and wrong—moral freedom and license—in which he would have to use the authority of the state to strengthen the former.

Through the efforts of Fred Siegel, editor of the Manhattan Institute's *City Journal*, Giuliani became acquainted with the "broken windows" theory of crime prevention. It focused on stopping the disorder—broken windows—that created a lawless atmosphere. Disorder, criminologist George Kelling wrote, can consist of "youths hanging out on the corner, panhandlers, hustlers and suggestively dressed prostitutes on the street, public drunkenness and rowdiness." According to Kelling, public disorder of this kind eventually led to "serious crime as well." Kelling proposed that police patrol neighborhoods to discourage—and, if necessary, arrest—the perpetrators of disorder. The broken windows theory fit Giuliani's view of liberty and authority. It meant that, in order to create order and encourage moral liberty, citizens would have to allow the police to discourage behavior that was often only marginally illegal.

Giuliani hired Bratton, Boston's police chief, to put the strategy into practice—and, supplemented by the innovative use of computers to single out and target high-crime neighborhoods, it had a dramatic effect on New York's crime rate. Giuliani's detractors would later say that the decline began under Dinkins, but that is misleading. The city's murder rate reached an all-time high in 1990, then declined slightly over the next two years. But it was only after Giuliani took office that the crime rate declined precipitously—starting in 1994, when it fell by 12 percent. New York's reduction in crime also far exceeded the national average—16 percent in the first half of 1995 compared to one percent nationally.

Giuliani enjoyed similar success in driving the Mafia out of both the Fulton Fish Market and the commercial garbage business. He also reduced fraud in New York's welfare rolls—no small accomplishment. From 1989 to 1995, more than 270,000 New Yorkers were added to the welfare rolls. After Giuliani instituted fingerprint checks and home visits in 1995—an infringement on liberty to be sure—the welfare rolls declined by 18 percent the first year.

Giuliani easily won reelection in 1997 and enjoyed widespread popularity—even in parts of the black community. Black leaders like the Reverend Floyd Flake appreciated that Giuliani's policing methods—however intrusive—had revived neighborhoods that had been riven by drugs and guns. As journalist Andrew Kirtzman put it in his book on the Giuliani years, "The essential truth of '97—that life on the streets was calmer, safer, saner—was just as relevant to the poor of Bed-Sty as to the prosperous of Brooklyn Heights."

Yet, by 2001, Giuliani's last year in office, he was widely loathed in the black community. New Yorkers, fearing the onset of political disorder, were "holding their breath" waiting for Giuliani to leave office, according to John Mollenkopf, an urban affairs expert at the City University of New York. The reason was that Giuliani, emboldened by his initial success, had gone too far in his exercise of authority.

Giuliani's seemingly insatiable appetite for authority was evident, first and foremost, in the way he ran his administration. Obsessed, as always, with loyalty, he demanded that power be centralized in his hands and that he receive credit for any of the administration's achievements. Even the Department of Environmental Protection's daily reports on the water level in the reservoir had to be cleared through Giuliani's press office before being released. He also replaced Dinkins-era officials with loyalists, some of whom had little preparation for their jobs. Tony Carbonetti, the grandson of Harold Giuliani's friend, was put in charge of the Office of Appointments, even though his previous experience consisted mostly of running a bar in Boston. According to Kirtzman, "one agency estimated that, of patronage hires, 60 percent were qualified, 20 percent had no experience, and 20 percent were 'dirtbags.'" Among these hires was Carbonetti's father, who was named director of the Community Assistance Unit. He was forced to resign after admitting that he had two driver's licenses and had failed to pay $156,000 in liens and judgments against one of his businesses.

The most important casualty of this process was Bratton, who, besides Giuliani himself, was most responsible for the administration's early success. Whenever the press gave too much credit to Bratton, the police chief and his spokesman John Miller would be called into city hall to be bawled out by Giuliani loyalists. Miller was finally forced to quit. After *Time* put Bratton on its cover in January 1996, an enraged Giuliani had City Hall attorneys begin investigating his personal expenses. That was enough for Bratton. He quit two months later.

In *The Prince of the City*, Fred Siegel called Giuliani's ouster of Bratton "the single biggest mistake" of his administration. Bratton was replaced by a colorless bureaucrat and "YesRudy" man named Howard Safir who lacked Bratton's understanding of the broken windows theory and would prove incapable of mitigating Giuliani's excesses. These began soon after Safir was appointed. Eager to accelerate the decline in New York's crime rate, Giuliani pressed Safir to triple the size of the Street Crime Unit, the elite group that swept into

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neighborhoods and implemented the broken windows strategy. Under Bratton, these units had operated with discretion, sometimes attempting to resolve situations without making arrests, often acting as community relations specialists. But, wrote Siegel, "rapid expansion was achieved through diminished training and by sending untested units out without a veteran heading the team."

In 1997, the police stopped and frisked 27,000 citizens—double the number from the year before. Those who were stopped began to include members of the black middle class, including Flake and deputy mayor Rudy Washington. Resentment rose in minority neighborhoods. Then, a series of brutal incidents set off massive protests: In February 1999, four inexperienced members of the Street Crime Unit killed Amadou Diallo, an unarmed Guinean vendor. And, in March 2000, an undercover narcotics detective killed an unarmed security guard, Patrick Dorismond. Instead of trying to placate his angry constituents, Giuliani, convinced of his righteousness, inflamed them. To discredit Dorismond, Giuliani released his nugatory juvenile arrest record and said he was no "altar boy." Ironically, it turned out Dorismond *was* an altar boy and had attended the same Catholic high school as Giuliani.

Giuliani also pushed the concept of broken windows well past what Kelling and Bratton had envisaged. On the basis of an article in *City Journal*, Giuliani decided that he needed to suppress not only petty criminals, but also jaywalkers, street vendors, speeding bicycle messengers, and reckless taxi drivers. "If we don't act in a civil manner here, we can't thrive as individuals or as the capital of the world," Giuliani announced in February 1998. Giuliani's new campaign, billed "Creating a More Civil City," was met with strikes from cab drivers and food vendors, as well as angry reactions from citizens threatened with arrest for jaywalking. Giuliani finally gave up on it, but, the next year, he took on the New York art scene. He tried to stop the Brooklyn Museum from putting on a provocative show, "Sensation," which he called "sick stuff." Giuliani's attempt to cut off city funding for the museum and fire its trustees was defeated in court.

Andrew Kirtzman attributes Giuliani's threats against the Brooklyn Museum to a desire to curry favor with upstate New Yorkers whose votes he would have needed to win the 2000 Senate election against Hillary Clinton. And, indeed, Giuliani currently brags about his bid to shut down the exhibit when trying to woo social conservatives. But this move, like his poorly executed expansion of the Street Crime Unit and his crusade against street vendors and jaywalkers, was consistent with Giuliani's growing commitment to use his authority at the expense of liberty.

Perhaps the most telling example of Giuliani's attempt to expand his authority came after September 11. In the crisis created by the terrorist attacks, Giuliani excelled as a leader. He was calm and eloquent, a voice of reassurance while the president, aloft in Air Force One, remained curiously silent. But, even before the dust had settled over Ground Zero, Giuliani began lobbying the New York legislature to repeal the city's two-term limit so he could run again, while simultaneously pressuring the candidates vying for his office to accept a 90-day extension of his term. Giuliani's moves showed a reluctance to cede power and a contempt for the democratic process. It was a demonstration of how far he would go in the pursuit of authority.

Of course, if Giuliani were elected president in November 2008, he might have no interest in resuming the push for ever-widening spheres of authority that accelerated in his second term as mayor. But he has given no indication that he has rethought those years. Indeed, he now seems to revel in the opposition he provoked. "Go back and read *The New York Times* editorials at that time and what they were saying about me, and all of the others," Giuliani recently advised an audience of social conservatives in Washington.

So it is reasonable to take Giuliani at his word and to imagine his presidency as an extension of his mayoralty. To do that is to contemplate an administration that would challenge many Americans' conception of their own liberty. It would perpetuate the worst aspects of Bush's imperial presidency: the contempt for Congress and the press; the encouragement of a polarized politics; the centralization of power in the White House; and the administration of government based upon loyalty rather than competence. That may be something a sizeable chunk of Republican voters want—but it is not something that will appeal to most Americans.

There is one final matter to consider: Giuliani's claim that what he accomplished in New York is "transferable" to the nation as a whole. Put simply, that idea is impossible, disastrous, or entirely misleading. Giuliani cannot export welfare reform from New York to the federal government, since national welfare reform already happened. A broken windows strategy probably wouldn't help the FBI unearth white-collar crime or catch terrorists. Giuliani claims he will "control spending" as he did in New York; but, in fact, the budget went up 37.6 percent during his two terms, leaving his successor with a large deficit even before September 11. As for cutting taxes, which Giuliani has also promised to do, most of his New York tax cuts were relatively minor—the most important were initiated by the state. And, in any case, the next president will have difficulty selling still another tax cut in the face of huge deficits.

The centerpiece of Giuliani's claim, however, is the suggestion that his approach to fighting crime provides a model for conducting foreign policy. In a recent essay for *Foreign Affairs*, he wrote: "I know from personal experience that when security is reliably established in a troubled part of a city, normal life rapidly reestablishes itself: shops open, people move back in, children start playing ball on the sidewalks again, and soon a decent and law-abiding community returns to life. The same is true in world affairs. Disorder in the world's bad neighborhoods tends to spread. Tolerating bad behavior breeds more bad behavior."

This is a foolish analogy. In policing the world, the United States cannot claim to be enforcing its own laws; we lack legitimacy to do so, as we found after invading Iraq. When the NYPD went into poor neighborhoods, it was not an occupying force; when the U.S. military took over Baghdad, it was, and it suffered the consequences. Some of the "neighborhoods" Giuliani wants to clean up, such as Iran, possess their own armies and can call on other "neighborhoods," such as Russia and China, to deter an attempt to punish them for bad behavior. In short, the world is not New York writ large, and the trade-offs between authority and liberty look very different from the White House than from Gracie Mansion. But these distinctions seem lost on the man who aspires to be the next mayor of the United States. ◆

ANTHONY RUSSO

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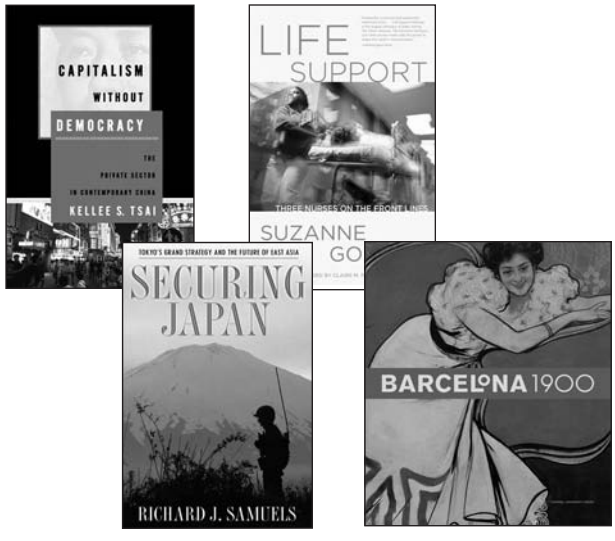

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Stanley Kauffmann on Films

KINDS OF SUCCESS

What we hear first is a man's voice ranting, telling a nightmarish story that very quickly makes no sense. What we see is the camera traveling through a long suite of slick offices, all of them empty. The voice vaults and leaps in florid phrases. The offices are cool, angular, affectless. Then the voice fades as the camera slides into a large, brightly lit room crammed with people working hectically. This opening sequence presents figuratively the spectrum of *Michael Clayton*, though of course we cannot yet know it.

The author of the film—"author" here has its usual meaning along with what film theorists mean by *auteur*—was Tony Gilroy. This is his directing debut. He has been a screenwriter, having written, among others, the *Bourne* trilogy, *Dolores Claiborne* (from a Stephen King murder novel), and *The Devil's Advocate*, about manic lawyers. I saw the first *Bourne* and the last two pictures and admired the skill. This time, however, Gilroy has moved very impressively beyond skill.

The offices that we first see here are those of a giant legal firm. Gilroy says that he got the idea for *Michael Clayton* when he was doing research for *The Devil's Advocate*. He was struck by, among other things, the Himalayan size of the firms and the heat and coils and writhings behind the professional sangfroid. The title character of his new film is a lawyer who is a member of one of those giant firms but whose work is semi-detached. He deals with touchy matters brought about by the various doings of the behemoth. Many a gangster picture has had a character called a "cleaner," a member of the gang whose job is to rid a crime scene of clues, witnesses, and mess that might involve the gang. Strictly legally, Michael Clayton, called a "fixer," does somewhat analogous work.

ANTHONY RUSSO

MICHAEL CLAYTON
Warner Bros.

GOLDA'S BALCONY
Tony Cacciotti

Clayton is first seen trying to extract an important client from a hit-and-run stupidity. Clayton's calm and the client's panic and anger are tokens of much that is to come in a larger-scale disaster. Part of the disaster is that the chief litigator of Clayton's firm, Arthur Edens, a master in his field, is temporarily out of his mind. (It is Edens's voice that we hear at the start.) His colleagues have long known that Edens is a manic-depressive and have relied on his medications, plus their own good luck, to carry them through. But the firm is reaching the crux of a $3 billion suit against a client, a big chemical company charged with knowingly selling a toxic weed killer. Clayton is assigned to bring Edens around to competence again—to resume his medications, for instance—so that he can defend their client.

The film takes place in four days, during which Clayton has even more than Edens on his hands—a personal business debt with some dangerous creditors, an alcoholic brother, his relations with his small son and estranged wife. He must also deal with Karen Crowder, chief counsel for the chemical company, who has ambitions and problems of her own.

All these matters and more sizzle through the course of the film like fuses leading to an explosion. In fact, there is a literal explosion early in the film, and most of the picture is a flashback that leads us to the reason for it. The finish of Gilroy's script reminds us of a device that Oliver Stone used in *Wall Street*. Even the basic story shape is not novel—the corruption in a powerful group that acts on one member of the group as a purgative.

But Gilroy's talent vitalizes and deepens his material. His dialogue is so pungent, so speakable, so true of the speaker, that sometimes we feel we ourselves are the person uttering those words. In many scenes the dialogue—there are no "beautiful" lines—almost seems to blend with the visual to form a texture of a special dimension.

This texture depends naturally on the abilities of the cast, who are uniformly up to it. Arthur Edens is played by Tom Wilkinson, the English actor now transatlantic. He was (to select only two roles) a gnarled Victorian aristo in *Wilde* and a quiet Maine doctor in *In the Bedroom*. Here his deranged Edens comes close to convincing us, as the deranged can do, that he is normal and we are aberrant. As a top executive of the law firm, Sydney Pollack, best known for his directing but who also acts, again provides his appealing growly weight. Tilda Swinton, as Karen Crowder, is as aloof as she has been in previous films (*Orlando*, etc.), but much more comprehensibly so. Here, still at some distance, she creates a woman who belongs where she is.

Then there is George Clooney. (A sentence that will be written, I hope, for many years to come.) He plays Clayton with ease and verity, with the knowledge that he has a unique presence and therefore need not push. Clooney is becoming something more than a star—a position that Robert Redford wanted but didn't quite get. Redford was not content to loll on magazine covers as a sex symbol:

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he wanted to elevate himself above moneyed glitz. But most of his film choices were not very bright. (His Sundance project is a quite different matter.) Clooney has all of Redford's stardom and much better judgment. He moves along engagingly from open entertainment (the *Ocean* pictures) to *Syriana* and *Michael Clayton*, creating as he goes a niche that he alone can fill. The only comparable recent film figure is Jack Nicholson, who, too, is something more than a star.

About Tony Gilroy, how can one feel anything but pleasure? He has clearly used his previous writing jobs as something more than provender. Acuteness, tension, sidewise humor, intrinsic pace are now at his command. He has a tendency to stuff: there are strands in this picture meant to give it body that only take time (Clayton's ailing father, or a Midwestern teenager that Edens gets tangled with). And there is a sequence in the film—Clayton stops his car in the country and walks up through a pasture to three horses that are standing there—that seems too overtly a contrast with the tenor of his life. But that moment is concluded with a shock.

In any case, Gilroy's film is distinguished beyond its components by its purpose, its compassion, its interest—increasingly manifest—in the soul. Ultimately this is a drama about the fierce struggle for success by people who will never stop struggling for it even though they know it is hollow. In Conrad's *Victory*, an elderly man warns his young son of the dangers that can lie in belief; the youth, stricken, asks, "What is one to do, then?" The father says, "Look on—make no sound." Some of us almost wish we could obey. Gilroy, however, looks on at these men strapped to a sterile belief, and, luckily for us, he cannot help making a sound.

A bow, too, to his directing, which is imaginative but not showy. The sharp editor was John Gilroy, Tony's brother. I noted only one unnecessary shot, a close-up of Clooney: the rest of the brothers' work is sure storytelling. (Their father is the Pulitzer-winning playwright Frank D. Gilroy, who cannot be too glum these days.)

In 1969, when Golda Meir reached the highest office of her life, *Time* put a photo of her on its cover. Underneath was the line: "Prime Minister Golda Meir of Israel." Below that was the line: "Grandma Moses."

Now, in the same congenial vein, comes a film called *Golda's Balcony*, adapted from the play by William Gibson, which I saw on Broadway in 1977. The play had—besides its star, Anne Bancroft—several supporting actors. In this film Valerie Harper plays Golda and all the other characters that are needed, but those others are done only in a suggestive style, without costume or makeup. Harper simply speaks the other one's lines in the other one's place, with some vocal shift.

This is a film that we know, once we hear the title, must be a panegyric. But it is an exceptionally authentic one. Differing views that we may have about Israel and Zionism, about Israeli-Arab conflicts, are overcome at least for ninety-two minutes by this warm-stern-wry portrait of a dedicated woman. Experts on her biography (which I am not) may have differences with the portrait, especially about the nuclear matters that arise, but the biographical facts are irresistible.

Meir's life need not be summarized here. Let's note only that she was born in Kiev, raised in Milwaukee, and emigrated to Palestine to work toward Israel, and that this journey bristled with obstacles that took their toll but could not stop her. The film begins in the prime minister's office on Yom Kippur 1973, the first day of the now-legendary war. Meir's strenuous activities during that day are interwoven with bits of her past that brought her to this place, this burden, this chance.

The director, Jeremy Kagan, who has done several features and much television, concentrates here on keeping the screen interesting despite the space limitations of the piece. (It takes place mostly in Meir's office.) Backgrounds flash by, decoratively or informatively; lighting coruscates and emphasizes; Meir's references to people and places get visual referents.

But of course the film depends on Valerie Harper's performance. The role is in a sense audience-insured, but that should not detract from the fact that Harper is splendid. She played Golda in a one-year tour of the William Gibson play, and she has mastered every inflection and gesture. A double pleasure of good acting then follows: we never feel that this Golda Meir is anything but genuine at the same time that we appreciate Harper's finesse. It is a lovely piece of work, and it fulfills its intent—a tribute and an embrace. ◆

David Hajdu on Music
THEY PAVED PARADISE

Sweet bird of time and change, you must be laughing. Quite a bit of time has passed since Joni Mitchell last picked up the guitar or sat at the piano and wrote a song—about ten years now—and she has changed. After her last album of new material, *Taming the Tiger*, which was composed in 1997 and released the next year, Mitchell participated with varying degrees of engagement in the making of six CDs or multi-disc packages: four compilations of tracks from her old recording catalog, organized by theme or by record label; one album of readings of Tin Pan Alley standards (mingled with two gems of her own that have joined the popular canon, "Both Sides Now" and "A Case of You"); and a double-CD set of remakes of her earlier work, done pre-rock style, with a symphony orchestra. Upon making the remakes, she announced that she would never record again, and she said that she had forgotten why she had ever loved music. Now Mitchell is back with nine new songs (and one more remake, this one a musical update, of "Big Yellow Taxi") on a stunning album called *Shine*, which is being marketed through Starbucks by the chain's powerhouse label, Hear Music. But the album stuns in more ways than one, and whatever laughter it has incited in that sweet bird of Mitchell's fancy could be of joy or decrial.

SHINE
Joni Mitchell

The news that Joni Mitchell is playing and writing again is surely cause to let out a hearty crow. One of the most serious and ambitious songwriters to make pop for adults in the rock era, Mitchell has earned the ardor of a worshipful following, whose members include other serious and ambitious musicians such as Björk, Elvis Costello, Prince, and Caetano Veloso. Her fans among performers respected for their edgy intelligence could, without any outside help, fulfill all the music programming needs of NPR. How her recent absence from performing and composing has affected her standing among the larger public is unclear, though it has no doubt diminished her name recognition at least as much as it has enhanced her mystique. By the pop-music calendar, ten years is forever—longer than the entire

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recording career of innumerable acts, including the Beatles, and longer than the life cycles of most pop-music trends, including the folk-rock craze of the 1960s, through which Roberta Joan Anderson turned herself into Joni Mitchell.

She has never liked being thought of as a folkie—or at least not liked it since she stopped being a folkie. In the early 1970s, when I was in high school, I saw Mitchell in concert for the first time. Touring to support *Blue*, her latest album, she did a brooding show, accompanying herself on acoustic guitar, mountain dulcimer, and piano. (In a review for my school paper, I described Mitchell as an "aging princess of folk-rock music"—she was twenty-eight.) Before beginning "A Case of You" that evening, she explained how she had been inspired to play the Appalachian instrument by the dulcimer-strumming folkie poet Richard Fariña. (The song itself is about Mitchell's affair with a superior folkie poet, Leonard Cohen.) Twenty years later, when I was doing some research on Fariña, Mitchell and I chatted over smokes in the bar at the Blue Note, the jazz club in New York. Mitchell had come to see the drummer Brian Blade, though she could not see him at all and could not hear him very well from our spot near the exit, which was the only place in the club where she was allowed to smoke. "I was never a folksinger," she told me, emphatically. "I was always a jazz artist."

OK. But … what about the music on the first four Joni Mitchell albums—all those tunes in the folk vein, like "Michael From Mountains," "Song to a Seagull," and "Chelsea Morning"? They were not folk, Mitchell insisted; they were jazz. She told me to go home and listen to the songs again, paying special attention to the harmony. In her guitar accompaniment, she said, she had been playing "jazz chords."

That is true but incomplete information. There have always been strains of several kinds of music, including jazz, in Mitchell's guitar playing and in the writing that she has done on the instrument. She is an intuitive composer, indifferent to music theory and formal conventions. As such, she has a great deal of illustrious company among composers in folk, rock, and blues, though not so much company among jazz masters (notwithstanding the boggling Erroll Garner and a few lesser geniuses of the naïve). Impatient and impulsive, Mitchell has employed a method of writing on the guitar that simplifies the work of composing while nicely complicating the results. She retunes the strings to make an open chord that has a sound she likes, in the manner of Delta blues players, and she produces variations and modulations with fairly simple fingering up and down the fretboard. This process has helped Mitchell create a songbook of instantly recognizable pieces united by their odd character of found harmony. In the songs that she has written at the piano, an instrument for which retuning the strings is prohibitively time-consuming, Mitchell's harmonic conception is more conventional, though still intuitive and occasionally suggestive of postwar Third Stream jazz for its moments of liquid, puddling chromaticism.

Liberated by her intuition but also limited by it, Mitchell could make jazz chords—the opening of "Jericho," for instance, shifts hiply from an F major ninth to a B minor seventh over E; but she struggled to compose fully wrought jazz compositions, and then, in the late 1970s, she dove headlong into jazz fusion with the albums *Don Juan's Reckless Daughter* and *Mingus*. (On the latter, Mitchell contributed two pieces of her own, in addition to her collaborations with Charles Mingus, who died before the recording was complete.) A defining trait of Mitchell's life and work is her insistence on not fitting in—not with other pop stars, nor with most others of her generation. In a culture in which every performer in music or politics poses as an outsider

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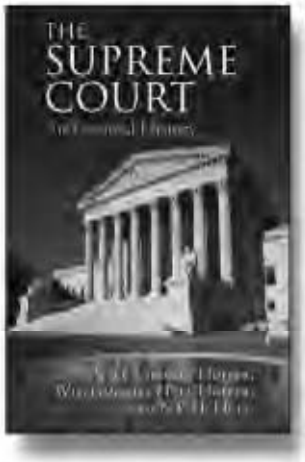

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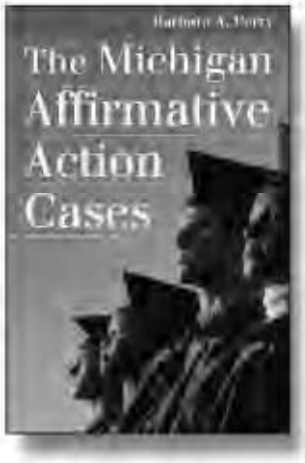

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to get inside the centers of power and glory, Mitchell has always sought a place not just outside, on the same plane, but significantly above her competition and their audience. If the folkies were strumming G chords and hooting union bromides, Mitchell wanted to make artful stacked chords and murmur cryptic ruminations. If everyone was rocking out, Mitchell wanted to do jazz fusion. Anyone can do the alienated-artist act; only someone profoundly ambivalent about power and glory can so blithely ignore the risk of alienating the public.

When she found that she had hit a wall trying to do jazz, Mitchell changed direction and turned to synthesizers and electronics in another attempt—one born of Mitchell's tenacity, for certain, but also, it seemed, of some desperation—to stay ahead of her fellow baby-boomer pop artists and their public. Between 1982 and 1998, she made six albums of songs buried under manic, garish electronic noise. These recordings had fine moments, such as the exquisite "Love," based on Corinthians 1:13 ("Although I speak in tongues of men and angels I'm just sounding brass and tinkling cymbals without love," set to a gorgeous, purling melody), on *Wild Things Run Fast* (1982); "Two Grey Rooms," about her divided mind; and "Cherokee Louise," a dark memory play about a tortured childhood friend—the last two of which appeared on the exceptional *Night Ride Home* (1991). The latter album and its follow-up, *Turbulent Indigo* (1994), revealed Mitchell's delicate compositions through less cluttered electronics, and Mitchell recoiled, hiding in a fancy cage of studio gimmickry on the bloodless *Taming the Tiger*. A pattern had emerged: the weaker the songs, the weirder the synthesizer settings. "I have this need for originality," she explained to an interviewer. When she could not provide it, she synthesized it, conflating creativity with novelty.

Around the turn of the century, Mitchell signed with a new label, the temperately arty Nonesuch, and she decided to pause for a moment and reconsider what she had done, at her best, in the past. (The head of Nonesuch, Robert Hurwitz, is understood to have exerted considerable influence here.) With Nonesuch funding the mammoth undertaking, Mitchell re-recorded twenty-two of her most durable songs, from "The Dawntreader" (1968) through "Just Like This Train" (1974) and "Amelia" (1976) to "Borderline" (1994), with a seventy-piece orchestra and the jazz musicians Herbie Hancock and Wayne Shorter (old friends of Mitchell's who recently reconvened, along with guest singers such as Norah Jones and Tina Turner, to do another album of Mitchell covers, *River*—the most recent artifact of Hancock's own mounting struggle to balance pop and jazz, though that's another story).

The very idea of doing remakes was antithetical to Mitchell, as she once made clear to a concert audience after someone in the stands dared to call out a request for an old song. Drawing a contrast between the visual arts and the performing arts, Mitchell, who also paints, said, in a somewhat petulant lecture in 1974, preserved on her live album *Miles of Aisles*: "A painter does a painting, and he does a painting—that's it, you know. He's had the joy of creating it, and he hangs it on some wall. Somebody buys it, somebody buys it again, or maybe nobody buys it, and it sits up in a loft somewhere till he dies. But . . . nobody ever says to him—nobody ever said to Van Gogh, 'Paint a Starry Night again, man!' You know, he painted it. That was it."

The album of remakes, *Travelogue*, turned out beautifully, in part because the orchestral settings reinforced the depth and the timelessness of Mitchell's finest music, and also because she sang the songs with affection and care, in a fragile, grandmotherly voice that betrayed the effects of age and chain-smoking. (Mitchell claims that the transformation of her voice from airy and bright to husky and low is the result of laryngeal disease, unrelated to her smoking.) For the first time in her life, Mitchell approached her work in the spirit of classicism, dispensing with the futurism. The act seemed a bittersweet valedictory, and after it she packed up her instruments.

What can we expect from her now, after a layoff of ten years? A return to her prime—another masterpiece like *Blue* or *The Hissing of Summer Lawns*? Of course not. Those albums were made many years ago by someone other than the woman Mitchell is, at sixty-three, today. No, the fair thing to hope for—and the greater achievement—would be an album that speaks with those early records' veracity of what it is like for that new person, the Joni Mitchell of 2007, to be living the life of a sixty-three-year-old today. After all, one of Mitchell's most important contributions to American popular music was her key role in making pop an outlet for deeply personal expression. She once recalled as an epiphany the first time she heard "Positively 4th Street," a venomous rant at an unnamed party who had betrayed Dylan somehow. "Oh my God," Mitchell said to herself, as she later recalled, "you can write about anything in songs!" Mitchell's own innovation was not to write about just anything—Paul McCartney had a corner on that—but to delve into her inner life and render those which are not things: inchoate hopes, sexual imaginings, nightmares, the impulses to love and to mother and to hurt.

ANTHONY RUSSO

With songs such as "Blue," "Woman of Heart and Mind," "Troubled Child," "Sweet Bird," "Hejira," and dozens more, Mitchell brought an almost psychotherapeutic candor and intimacy to the record bins. She internalized popular music and made it something personal, idiosyncratic—modernist. In Mitchell's songs, as in work of the high modernists as well as the modernists in lower quarters such as Furry Lewis and Charles Mingus, individual expression and its necessary structure had primacy, and accessibility was secondary at best. It is a testament to the beauty of Mitchell's voice, as well as to the charm of her tunes (when she chose to write charming tunes), that she kept getting record contracts for so many years. Unfortunately, self-examination and self-command could slip sometimes into self-absorption and self-indulgence, and her songs could be overlong, meandering, droning, and repetitious.

If only those were the sins of Mitchell's new CD. *Shine* is a lovely album, full of listenable music. Mitchell wrote most of the songs on the piano, as instrumentals, and later added lyrics. The music is warm and elegiac, for the most part—vaguely evocative of the Rachmaninoff that Roberta Joan Anderson loved as a girl. There are synthesizers—all played by Mitchell, who generated most of the music on the album (including some of the bass parts) on various keyboards; but they are programmed to sound like traditional instruments, and Mitchell employs them with taste.

The stunning puzzlement of the album is the near absence of its author in the words. Of the ten songs on *Shine*, one, "If," is adapted from the Rudyard Kipling verse, and another, as I mentioned, is a remake of "Big Yellow Taxi," one of Mitchell's most tuneful and least personal songs. The eight new pieces with words and music by Mitchell are nearly all outward-looking

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considerations of political and social issues such as over-development and the exploitation of natural resources ("This Place"), over-population ("If I Had a Heart"), pollution ("Bad Dreams"), militarization and war ("Strong and Wrong"), and all of the above ("Shine"). In its lyrics, which frequently fight the gentle music, *Shine* is, on the whole, polemical, utterly predictable in its hippie utopianism, shrill, and cold.

In a late-life fit of nostalgia, Mitchell has gone all the way back to the liberal pamphleteering that she never liked in the 1960s and that Dylan, with "Positively 4th Street," led her to reject. She wags her finger and pokes it in the chests of the big bad boys, but she never touches herself to risk breaking her own skin. Indeed, she professes on the album to have no heart anymore. I find this impossible to accept. If Mitchell has indeed lost the ability—or the will—to reveal herself, that is a major loss to her art, to its audience, and, I suspect, to its creator. *Shine* is a kind of revelation, but of the saddest kind, and it proves, definitively, that you don't know what you've got till it's gone. ◆

Neal Katyal
COUNSEL, LEGAL AND ILLEGAL

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By Jack L. Goldsmith
(W. W. Norton, 256 pp., $25.95)

Jack Goldsmith's book is quite possibly the first sober account of the pressures that a post–9/11 president faces in the attempt to respond under the rule of law to the security threats facing this country. The book is largely a memoir of Goldsmith's service as an assistant attorney general for the Office of Legal Counsel (OLC), and of his terrible predicament as he found himself in the midst of an extraordinary debate among administration officials about how best to respond to the threat of terrorism. While OLC operates in relative obscurity for most Americans, it is in fact a genuinely significant institution of American government: all thorny legal questions within the executive branch are supposed to be submitted to this tiny elite office. OLC is the "decider" of these questions, and its judgments bind the entire executive branch.

In the fulfillment of his duties at OLC, Goldsmith said no to the White House on various matters, including torture and electronic surveillance. As a result, he soon left his Justice Department position and decamped to Harvard Law School. Now he has written this remarkable book—a book that anyone concerned about civil liberties in the war on terror must read. Goldsmith is not a civil libertarian. And this is not a kiss-and-tell book. It is a serious book with a serious lesson: that the war on terror is here to stay and will continue to pose extraordinary challenges to our current legal framework. Those inclined to think that the next administration will instantly shut down mass detention centers such as Guantánamo, or promptly terminate massive electronic surveillance under the Patriot Act, are likely to be sorely disappointed, no matter who sits in the Oval Office.

In 2002, as a young law professor at the University of Chicago, Goldsmith co-wrote (with Curt Bradley) an important article arguing that President Bush's order of November 2001 establishing military tribunals to try suspected terrorists was perfectly legal. (I should disclose that Goldsmith's article was a critique of my own Senate testimony on this matter, in which I had argued that the president cannot create a trial system on his own and that congressional approval of these tribunals is necessary; and also that Goldsmith and I subsequently co-authored a *New York Times* piece on other matters in the war on terror.) Goldsmith analyzed in some detail the laws passed by Congress, concluding that "President Bush probably has independent constitutional authority to establish military commissions, and, in any event, clearly has statutory authority to do so." He also confidently concluded that detainees could not be protected by the Geneva Conventions because the president had determined that even the most minimal protections did not apply, and that "U.S. courts reviewing the validity of the commissions on habeas corpus are not likely to question these political branch characterizations."

Now, in *The Terror Presidency,* Goldsmith says that from his first days in government he "could not understand why the administration failed to work with a Congress controlled by its own party to put all of its antiterrorism policies on a sounder legal footing." He claims that if the administration "had earlier established a legislative regime of legal rights on Guantánamo Bay, it never would have had to live with the Supreme Court's holding on Common Article 3 of the Geneva Convention, or with the War Crimes Act. If the administration had simply followed the Geneva requirement to hold an informal 'competent tribunal' or had gone to Congress for support on its detention program in the summer of 2004, it probably would have avoided the more burdensome procedural and judicial requirements that became practically necessary under the pressure of subsequent judicial review." The result of "the unnecessary unilateralism of the Bush years" has been for Congress and the courts to harbor a deep "suspicion and mistrust" of the executive that will infect future presidents for years to come. Bush, Goldsmith now warns, "borrowed against the power of future presidencies."

What changed? How did the confident and brash Goldsmith of 2002 become the hand-wringing Goldsmith of 2007? It might be thought that Goldsmith's change of tune stemmed from his move from the more conservative University of Chicago to the more liberal Harvard Law School, or that he has been watching the courts and reacting to the fact that the Supreme Court struck down the president's military tribunals last year in *Hamdan* v. *Rumsfeld.* But none of these explanations is correct. Something else is at work.

Goldsmith's book reveals how a theoretical idea at the fringes of constitutional law morphed into a radical new philosophy of government. Many mainstream constitutional lawyers—myself included—support what is called the "unitary executive theory," which holds that the Founders vested the president with the full power of the executive. So, for example, we believe that Congress cannot interfere in the firing of executive branch officials. A key reason that we favor this theory is that it concentrates popular accountability in the pres-

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ident. The president is responsible for his choices, and cannot point the finger at a meddlesome Congress when his policies fail. The unitary executive theory, like many matters of law, is certainly debatable, but it has an eminent pedigree of supporters both left and right.

Goldsmith's book describes a disturbing exfoliation of this theory, and its subsequent career in government. He explains how a radical offshoot of this theory secretly became official White House policy. The aggrandized version of the theory of the unitary executive was this: that the president has a virtually unlimited and unsupervised ability to override laws of Congress that interfere with his duties as commander-in-chief. The most influential proponents of this version of the theory were John Yoo, a law professor from Berkeley, and Vice-President Cheney, who in this context is indistinguishable from his then–chief counsel (now chief of staff) David Addington. What this extreme notion of the unitary executive meant, in practice, was that Goldsmith's predecessors at the Justice Department wrote a series of classified opinions that asserted that the executive could legally ignore a variety of federal laws, including laws that prohibit torture and laws that prohibit many types of electronic eavesdropping on Americans without a special court order. Goldsmith's predecessor was a law professor named Jay Bybee, and Bybee evidently outsourced much of the work to his deputy Yoo. Sometimes, Goldsmith reveals, Yoo would simply provide legal opinions himself, under the authority of the attorney general, without informing his superiors, including Attorney General John Ashcroft, of his actions.

Goldsmith's book does not go into it, but it is important to note that Addington's and Yoo's activities did in fact betray the premise of the unitary executive theory. Since these opinions were issued in secret, popular accountability could not check the president. Instead, these opinions were essentially a license for the president and his administration to break the law without reprisal. These were cavalier advance pardons, and nobody was supposed to find out about them.

Goldsmith explains that Yoo's "secret yes, always" mentality ultimately cost him when Ashcroft, that now-rehabilitated civil libertarian, blocked him from succeeding Bybee. (Bybee was rewarded with a federal appellate judgeship.) Goldsmith was plucked from relative obscurity at the Pentagon to take over as the head of OLC. He looked good on paper: he had written those exuberant passages about military tribunals and had been a deep skeptic of international law as a constraint on federal power. And although he is too modest to say so in his book, Goldsmith is also one of the preeminent scholars of the law governing foreign affairs.

Within a matter of days, Goldsmith learned that he was expected to kowtow to the White House's legal demands. The first battle came with respect to the Fourth Geneva Convention, a treaty ratified by the United States a half-century ago to protect civilians during war. Goldsmith ruled that it applied to terrorists in Iraq, even if they were members of Al Qaeda. His deputy, Patrick Philbin, warned that the White House was "going to be really mad.... They're not going to understand our decision. They've never been told 'no.'" (Cheney would later block Philbin's promotion at the Justice Department because he dared to question the legality of the NSA eavesdropping program.) Battle after battle took place, with Goldsmith saying that the president was not at liberty to do this or that and the White House disagreeing. At one point Addington warned Goldsmith that "if you rule that way, the blood of the hundred thousand people who die in the next attack will be on *your* hands." All of this made Goldsmith, an honest and learned man who did not like to see the Constitution traduced by ideology or power, more than despondent, and eventually he left the Department of Justice.

Goldsmith's book is a reflective look at these deeply troubling episodes. At its best, the book deftly advances two central claims: that the law governing presidential action has markedly shifted in recent years to constrain the president and his advisers; and that the president faces vast pressures to push the law to its limit because of the fear of another attack, particularly since he will be the focus of blame should an attack take place. About both of these matters he is persuasive, and it is one of the strengths of Goldsmith's book that even as it dissents from the Bush administration's understandings of the Constitution and national security, it takes the threat to American security very seriously.

Sometimes, though, the book veers into a rather strained attempt to defend the administration, perhaps out of a sense of loyalty. In a passage that some are citing as proof that the administration has acted with fidelity to the law, Goldsmith argues: "Many people think the Bush administration has been indifferent to wartime legal constraints. But the opposite is true: the administration has been strangled by law, and since September 11, 2001, this war has been lawyered to death. The administration has paid attention to law not necessarily because it wanted to, but rather because it had no choice." But to say this is to say nothing at all. No one doubts that the administration "paid attention" to legal constraints—they hired lawyers such as Yoo to "pay attention" to these constraints by finding ways around them. Paying attention to law so as to loophole it is not much of a defense of the administration. It is ironic that many who pick up Goldsmith's book on the basis of its title will no doubt assume that the book is about how the president has created terror, instead of about his response to it. But since the administration departed from longstanding traditions and embraced instead a radical constitutional agenda of its own, such a view of what is described in Goldsmith's book is, in significant ways, correct.

Reading Goldsmith's account of his experience of an academic theory applied to public policy in a time of crisis, one comes away with some rueful thoughts about the larger question of the relationship between the legal academy and the practice of law. The various events depicted in Goldsmith's book were set in motion by a wild notion dreamed up in America's law schools. Yoo's unitary-executive-on-steroids idea was not the first crazy theory to emerge from the legal academy; but it is likely the first to have achieved a secret stranglehold on the levers of government.

Law professors at elite universities today are predominantly theoreticians, paid to come up with large and original ideas. In the real world, if you came up with an idea like the John Yoo version of the unitary executive theory, you would get laughed out of town, because such a theory does not comply with the traditions and the values of this country. But in the legal academy, you get tenure. This trend in the modern law school, where practice has been subordinated to theory, has several consequences, but the most important one is that law professors can get sold on a theory with little understanding of how its implementation would work and what it would actually mean. There is little or no field-testing of these theories: legal scholars are rewarded mainly for cleverness and originality. The phenomenon is exacerbated by the fact that many top law schools are increasingly hiring faculty with no significant experience in legal or government practice.

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It is not entirely surprising, therefore, that the practicing lawyers at the Justice Department and elsewhere were cut out of the discussions when Yoo was implementing his theories. This story has been documented elsewhere, most powerfully by Tim Golden in *The New York Times*. But Goldsmith offers some new details, including the fact that Yoo was part of a "secretive five-person group" that styled itself the "War Council"—a council that would make legal decisions, even to the point of excluding interagency views. Such secretive groups are often sold as ways to make sure classified information is not divulged; but in many instances such a justification is patently unbelievable. Can anyone really believe that it would be a security risk to have let National Security Adviser Condoleezza Rice and Secretary of State Colin Powell know that the president was going to sign an executive order setting up military tribunals? Or that, as Goldsmith has recently revealed, the number-two official at the Justice Department, James Comey, could not be told about the NSA program when many private telecom executives already knew about it? What was really going on was that a tiny cabal wanted to impose its will by fiat and sought to preclude any internal criticism or debate. And such a course of action is particularly tempting for a law professor who dwells in the hothouse world of theory.

When it comes to government policy, theoretical purity cannot be the only basis on which the government should act. It must be a central test of a theory's validity whether it comports with the values and the practices of the nation. Practitioners, as that term implies, often have sensible instincts on such questions. They often know why something has been done a certain way in the past, and they may appreciate the ways in which a new theory can destabilize or destroy other legal positions or programs. When a hot new theory such as the radical version of the unitary executive theory was proposed, its open vetting by a diverse group of practitioners drawn from the government should have been required for the theory to be taken seriously.

But Yoo did not do that; and Goldsmith, newly on the job, started to vet legal positions with lawyers across the federal bureaucracy. He found serious problems with a "short stack" of Yoo's opinions, and began a process to roll them back and to seek interagency views. Goldsmith's aforementioned opinion on the Fourth Geneva Convention, for example, was shared by a "consensus" of lawyers from "the State Department, Defense Department, CIA, and the National Security Council"; but not by David Addington, nor, it appears, by then–White House Counsel Alberto Gonzales. It is really quite remarkable—and it may count as a tribute to his legal acumen or his bureaucratic skill—that Goldsmith's view prevailed.

But alas, much of Goldsmith's handiwork would soon be undone. After his departure, his more pliant successor, Steven Bradbury, gave the administration what it wanted. According to a recent *New York Times* story that could easily serve as an epilogue to Goldsmith's book, the administration put Bradbury on a probationary period as acting head of OLC, refusing formally to nominate him until they had seen how he would rule in his acting capacity on a variety of issues. Bradbury evidently resurrected much of Yoo's legacy, finding that none of the CIA's "enhanced interrogation techniques" violated the law. Comey, the second-highest official at the Justice Department at the time, reportedly told colleagues that they would be "ashamed" if the opinion ever came to light. Comey was overruled by Gonzales,

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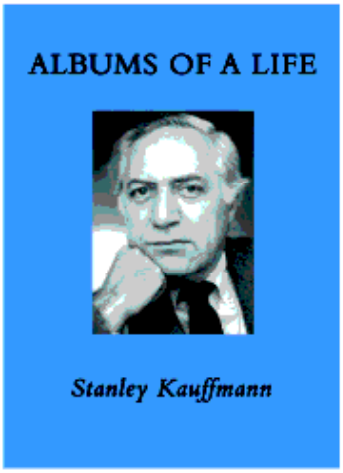
On Kauffmann's criticism, Susan Sontag wrote that "Stanley Kauffmann is a national treasure."



Stanley Kauffmann's *Albums of a Life* is virtually unique. As the title suggests, his purpose in writing about himself, his ways and means over a long lifetime, has no higher, or lower, purpose than to collect memories that fall together around a person, place or subject. As such he is not overtly telling us his inside story or delivering his career, whether for the public record or the annals of gossip, or bending his experience to make some large political or cultural point. Instead of the typically heated prose of the private memoir or the typically flat style of the public one, his tone is crisply genial, warmly objective, the prose of a writer who does not try to dig into or inflate or argue his experience but to commemorate it in an exact, felt, uncoercive way. Like an album of carefully selected photographs that span a lifetime, they are unassuming and they matter. Open any of these discrete, ad hoc remembrances and you touch a rich life.

From the introduction by Ted Solotaroff

New Republic readers receive a 40% DISCOUNT if they purchase *Albums of a Life* directly from the University Press of New England. Visit www.upne.com or call 1-800-421-1561 and mention the discount code "WWTNR."

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and he left the department soon thereafter. The outcome was finally that one way or another the Department of Justice had been purged of its leading dissenters. The post-Goldsmith era, which looks strikingly similar to the pre-Goldsmith era, had begun.

This brings us to another valuable and insufficiently explored lesson of Goldsmith's book: the power of internal checks and balances. Our Founders devised a government premised on the idea that, as Madison wrote in *The Federalist*, "the great security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others.... Ambition must be made to counteract ambition." But this idea seems hopelessly outdated. Madison's words presume three branches with equivalent ambitions of maximizing their powers—but abdication instead of ambition has characterized Congress's action in the war on terror. Nor have the courts been much better. While there have been some notable rebukes to the president, they have taken years and have forced the courts into the difficult position of adjudicating national security disputes where their institutional competence is not at its height.

On this score, Goldsmith's keen observations about the workings of government in a time of danger add up to a powerful implicit recommendation. What his book unwittingly demonstrates is the need to re-orient the American government so as to bring the "separation of powers" into the executive branch itself. Precisely because Congress and the courts are not able or not willing to exercise their functions sufficiently, internal executive checks and balances become more important. Goldsmith shows how the existing checks within the executive branch sometimes resulted in a significant policy decision in favor of treaty compliance and individual liberty, such as his ruling on the Fourth Geneva Convention. The policy question in the wake of *The Terror Presidency* should be: how do we encourage the development of internal checks such as these? Goldsmith, remember, was practically run out of town.

Begin by recalling Goldsmith's stories about the clash between the State Department and the Defense Department. Since State and Defense have overlapping jurisdiction, rivalries emerge and different perspectives are brought to bear on a problem. Bureaucratic rivalry, far from being something to be squelched by the White House, is something to be encouraged. Franklin Roosevelt, whom Goldsmith exalts but does not discuss with respect to this issue, was a connoisseur of this strategy. As Arthur Schlesinger Jr. observed, "His favorite technique was to keep grants of authority incomplete, jurisdictions uncertain, charters overlapping." The result was better policy, as the inevitable differences of opinion and policy clashes produced a more informed result. When bureaucratic friction is bypassed by a White House bent on imposing an ideologically satisfying solution, bad policy inexorably results.

Bureaucratic rivalry is only one piece of this problem. If talented people such as Philbin have to worry about their job every time they give advice that the White House does not want to hear, less straight talk will emerge. The White House repeatedly justifies its claims of executive privilege with the notion that if Congress is privy to private deliberations, less-candid discussions will result—so it is particularly ironic that the administration has resorted to career reprisals that have an even more chilling effect, inhibiting candor far more effectively than the rare possibility that executive secrecy will be violated down the road. The fear of reprisals is a particular problem for those unlike Philbin (now a successful lawyer in private practice) who plan on remaining in government for the entirety of their careers. So, in order to develop the full regimen of internal checks, a vibrant civil service is necessary. That, at present, is hard to accomplish: unlike in France, where many top graduates join the civil service, in the United States a career in government is often viewed as a refuge for the mediocre.

But there are a variety of ways to create a dynamic civil service, perhaps by patterning some of it on the successes of the foreign service. Compared to its civilian counterpart, the foreign service does a pretty good job of providing for career advancement without the corruptions of political patronage. Its "up or out" promotion system forces turnover, while its job-rotation requirements help to ensure freshness. Perhaps most innovatively, the State Department maintains a "Dissent Channel" that permits an employee anywhere on the globe to question the actions of the department on a policy level. Rather than suffering retaliation, individuals who use the channel are at times promoted. While there are of course problems with the Foreign Service, these mechanisms help to ensure a group of trained and knowledgeable employees who possess the energy to do their jobs and are better situated to voice their opinions when they are disagreeing with political appointees.

But developing a better civil service will only go so far. When rival agencies disagree, there needs to be a neutral decision-maker—a "decider." The Office of Legal Counsel, as Goldsmith's book suggests, can hardly be that entity. OLC has two roles—adviser to the president and adjudicator of legal issues—and these turn out to be in fundamental tension with one another. No one wants an adviser who has ruled against him as an adjudicator. The result is an OLC that is too tempted to tell the president what he wants to hear and an OLC that is employed by the White House to squelch a reluctant bureaucracy:

> A White House confident about what it wanted to do also used lawyers, and especially legal opinions by OLC lawyers, as a sword to silence or discipline a recalcitrant bureaucracy. Many people in the government were nervous or upset about implementing the President's post 9/11 counterterrorism policies: military lawyers objected to military commissions, which departed from well-settled ways of conducting modern military trials; so too did some Justice Department prosecutors, who preferred the civilian trial system where they were in charge; the State Department objected to parts of the [Guantánamo] detention program; and some in the CIA were reportedly anxious about the special interrogation program for high-value detainees.

The only way that OLC can have the legitimacy to act as a "mini-court" within the executive branch is when it exercises independent judgment and brings its institutional expertise to bear on resolving legal disputes. But Goldsmith's book documents how OLC functioned as an advocate—to the point where Goldsmith criticizes the torture memo produced by his friend Yoo as a "one-sided effort to eliminate any hurdles posed by the torture law" characterized by an "unusual lack of care and sobriety," and reports that a senior government lawyer called the memo "a bad defense counsel's brief." The torture memo debacle underscores that without OLC's impartiality and independence, the sys-

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tem breaks down. The decisions of the office begin to look suspect, resembling a third-world courtroom flush with political influence rather than law.

And yet the political pressure on OLC officials is unavoidably immense. Its lawyers—the head of the office and all its deputies—are political appointees themselves. They are expected to advise the president rather than merely to adjudicate disputes, and they are regularly present at White House meetings. In this climate, there is simply no way that OLC's institutional aspiration to act as a neutral decision-maker can play out in practice the way one would hope. Simply put, the Office of Legal Counsel is an in-house law firm with a single client to serve.

For these reasons, Congress should consider a drastic overhaul of OLC—one that strips it of its role as a "minicourt" and permits it only to function as an adviser to the government. The adjudication function should be transferred to a separate official—say, a director of adjudication—who would resolve interagency disputes and straddle presidential terms. Goldsmith's book shows that the current OLC cannot withstand the conflict in its dual roles, and so one of its roles needs to be split off. Otherwise many presidents will be too tempted to appoint John Yoos of their own; and if somehow a Jack Goldsmith–type figure is named to the office, he will almost certainly not last long there.

Generally speaking, the most urgent task in the wake of the legal and constitutional mess that will be a part of George Bush's "legacy" is to think seriously about how the separation of powers can become laced into the executive branch itself, rather than hoping that it will rematerialize in Congress and the courts. Each of those players has limitations: the former owing to the rise of the party system, the latter owing to well-designed institutional limits on its jurisdiction and its mandate in a republican democracy. As Goldsmith points out, the fear of another attack coupled with the reality that the president is going to get blamed for it places a spectacular pressure on the president to push the law to its limit. Owing to the obvious need for secrecy, quick action, and competence in these specialized areas, internal checks are necessary to replace the withering external ones. The trend toward executive branch power threatens our Founders' conception of divided government. By building upon practices that are subtle aspects of our contemporary constitutional landscape—such as bureaucratic overlap, civil-service protections, and internal adjudication—some of the harms from this trend can be resisted and our Founders' design adapted to an age that demands a strong executive.

ANTHONY RUSSO

In a way, Goldsmith's book is about the importance of architecture to government. Both physical architecture (whose office is near whose) and institutional architecture (how the various federal agencies are designed) play crucial roles in Goldsmith's account of the war on terror. He begins his book by describing the complaints of many former Justice Department officials when the OLC offices were relocated far down the hall from the attorney general's office, lamenting that "a Republican Attorney General [gave] the space to a political consultant with no law degree, something the former OLC officials interpreted as evidence that OLC's 'glory days' were over and, more ominously, as a sign that law in the Department of Justice had taken a backseat to politics."

For those who grew up on too many *West Wing* episodes, such complaints will be viewed as the whining of folks who use geographic proximity as a way to measure their success and their ego. But Goldsmith suggests something deeper: that physical location dramatically effects the exchange of ideas, which is to say, who talks to whom. By placing divisions with different perspectives near one another, a better process and a better policy can result.

And Goldsmith's book provoked in me also a very different consideration about architecture. This one, a more grim matter, concerns the physical location of America's detention facilities. For a long time now I have reflected on how my visits to Guantánamo fundamentally changed the way I thought about the *Hamdan* case. It was very hard to understand the stakes—human, moral, legal—until I actually saw Hamdan himself and the conditions in the camp. Far from being an abstract issue for a law professor, going there taught me that the issues in his case were devastatingly concrete—about the core of personhood and individual dignity. One reason why Guantánamo was chosen as the site of the camp, I think, is that it is very difficult for ordinary Americans and the media to see it or visit it. It is easy to swallow a government story about the people at Guantánamo being the "worst of the worst" if you cannot yourself behold them.

Goldsmith tells a different story, but with the same point, about going to the brig in Norfolk, Virginia, to see another enemy combatant, Yassir Hamdi, on a closed-circuit television:

> Witnessing the unmoving Hamdi on that fuzzy black-and-white screen, however, moved me. Something seemed wrong. It seemed unnecessarily extreme to hold a twenty-two-year-old foot soldier in a remote wing of a run-down prison in a tiny cell, isolated from almost all human contact and with no access to a lawyer. "This is what habeas corpus is for," I thought to myself, somewhat embarrassed at the squishy sentiment.

I do not mean to embrace the trendy talk about alterity, but there is no doubt that when detainees are kept geographically distant, with no media images except the rare photo of the rough and haggard Khalid Sheikh Mohammed, it becomes easier to regard these individuals as something less than human. Goldsmith and I traveled to see different detainees, and with opposite goals in mind; but both of us came away with the same reaction. Perhaps security reasons compel detainees to be kept far out of public sight. Still, we should be aware of the costs of such a policy. It has the effect of making us more manipulable, and less able to appreciate that these Others are, after all, human beings.

Goldsmith concludes his book by remarking that the "permanent emergency" of terrorism is upon us, and that future presidents will likely continue many of Bush's substantive policies. There is no doubt that a president, even (or especially) a Democratic president, will continue some of the policies that Bush has implemented. But any president who reads this volume and reflects upon the destruction of trust in the executive branch, and the loss of its institutional and reputational capital in the wake of the Bush administration, will not go about these policies in quite the same way as our current president. By writing this brave and important book, by detailing the Bush administration's compendium of errors, Jack Goldsmith has helped to ensure a better dispensation for generations to come—one devoted to a government of laws, not of men. ◆

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Leon Aron

JIHADI MURAT

FOR PROPHET AND TSAR: ISLAM AND EMPIRE IN RUSSIA AND CENTRAL ASIA
By Robert D. Crews
(Harvard University Press, 463 pp., $29.95)

RUSSIA'S ISLAMIC THREAT
By Gordon M. Hahn
(Yale University Press, 349 pp., $35)

I.

Poskrebi russikogo i naydyosh tatarina: scratch a Russian and you will find a Tatar. The origin of this quip is uncertain (attributed to Napoleon, it is found in Michelet, Pushkin, Dostoevsky, Marx, and Lenin); but its accuracy has made it into something of a Russian proverb. This past summer the adage even found its way into one of Vladimir Putin's long, surly, preening, and occasionally vulgar monologues disguised as a press conference.

The observation about Russia's largest Muslim people is literally true of some of Russia's most distinguished families, who trace their origins to the Golden Horde conquerors. Rasputin's assassin, Prince Felix Yusupov, was from one such family; Vladimir Nabokov, whose ancestor Nabok Murza was a fourteenth-century Russianized Tatar prince of Moskovy, was a scion of another. And the reference to the Tatars certainly is correct in a larger historic sense. Outside of Spain, where the Muslim presence was ended by expulsion at the end of the fifteenth century, the thirteen hundred years of Islam's continuous presence within its current borders make Russia Europe's oldest and largest Muslim nation.

Russian Muslims rightly claim that Islam arrived in what was to become Russia before Orthodox Christianity. By the time the Great Prince Vladimir of Kiev baptized his subjects in the Dnieper in 988, Muslim communities had been well established along the Volga River (the future home of the Tatars) and in the northern Caucasus (Dagestan), later spreading east to the Ural Mountains and Siberia and into the Kazakh steppes. In 1613, when Russia's nobles offered the throne to the first Romanov czar, Mikhail, several Tatar princes were among the electors.

Between 20 million and 23 million strong, Russia's Muslims are more numerous and constitute a greater share of the country's population (14 to 16 percent) than in France (5 to 6 million and 8 to 10 percent), Germany (3.4 million and 4 percent), Britain (1.6 million and almost 3 percent), or the Netherlands (almost 1 million and nearly 6 percent). Only tiny Bosnia-Herzegovina, with 40 percent of its 4.5 million citizens, has a larger proportion of Muhammad's followers.

Islam has been a major and durable aspect of Russia's history, geography, and culture. Two of the finest works of Russian prose, Tolstoy's *Hadji Murat* and Lermontov's *A Hero for Our Time*, were inspired by the longest and most tragic episode of Russia's engagement with Islam: the almost sixty-year colonial war on the Muslim peoples of the northern Caucasus, especially the Chechens, who between 1834 and 1859 waged jihad under the red-bearded Imam Shamil. Both Tolstoy and Lermontov fought in that war, and in *Hadji Murat* Tolstoy contrasted the bravery and nobility of the Chechen warriors with the callousness and incompetence of the Russian high command.

Forever associated with the quest for freedom, the Caucasus also inspired some of the best Russian poetry: Pushkin's gorgeously mellifluous eight lines of "In the Hills of Georgia" (1829) and Lermontov's "Dream" (1841, about a Russian dying of wounds "in the noon heat in a Dagestan valley"), "Dagger" (1838), and "Valerik" (1843). The latter work, whose title is derived from the Chechen *vallarig* or "dead," is about one of the bloodiest battles of the Chechen war, on July 11, 1840, for which Lermontov was recommended for a medal. Both Pushkin and Lermontov wrote poems titled "The Prisoner of the Caucasus," about a Russian soldier captured by the Chechens. Pushkin's longer "Fountain of Bakhchisaray" (1824), like much else in his work inspired by Byron's Romantic poems, is set in the eponymous capital of the Muslim Crimean khanate. And on at least one occasion the Russian entwinement with Islam proved lethal to high Russian literature. In 1829, a fanatical mob in Tehran, unleashed by the mullahs to avenge alleged slurs against Islam, broke into the Russian embassy and killed all the diplomats, including the head of the mission, the brilliant Alexander Griboedov, Pushkin's contemporary and friend and the author of the classic Russian verse play *Grief From Intelligence.*

The conquest of the Kazan Khanate by Ivan the Terrible in 1552 brought the Tatar homeland into the rapidly expanding Russian state. (St. Basil's Cathedral was erected on Red Square to celebrate the victory.) Peter the Great pushed south and east, securing for the empire the lands between the Volga River and the Urals and, with them, the Bashkirs: Russia's second-largest Muslim people, after the Tatars. Catherine the Great wrestled the Crimean peninsula from the Ottomans in 1791 and began to incorporate the southeastern steppe "borderlands" populated by the Kazakh nomads. In the last third of the nineteenth century, the Russian empire gobbled up "Turkestan," now known as Central Asia, with its ancient cities of Tashkent, Kokand, Khiva, Osh, Bukhara, and Samarkand, the latter two revered by Muslims around the world for their madrassas, or Qur'anic schools. The first census in 1897 found that almost one in ten Russians profess Islam.

So how has the modern Russian state done in four and a half centuries of co-existence with its Muslim subjects? And how useful is this rather unique history for today's West, desperate for peace with its own rapidly growing populations of Muslim citizens? The answer to the first question is, not as badly as could be expected of the corrupt empire that Lenin rightly called the "prison of peoples" (and which, when in power, he promptly upgraded to a maximum-security facility).

Responsible for this fairly remarkable accomplishment, as Robert D. Crews argues persuasively, was a rather sophisticated policy of state support of "official" Islam, in which Islamic clerics were granted a substantial degree of power and autonomy in religious, cultural, and communal matters in the hope of "grounding" imperial rule in religious authority. The Kremlin viewed Islam as an "anchor of stability" in the giant multi-ethnic and multi-confessional empire, and sought to use it to "enhance

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respect for order." As in the Ottoman Empire, Russia's neighbor and perennial rival, this partial delegation of authority to the leaders of self-ruling religious and ethnic communities allowed Moscow to rule with fewer complications and, ultimately, with less violence. At least by the crudest—but also the most vital—measure of the frequency and scale of rebellions, Moscow succeeded impressively. The Caucasus aside, Muslim revolts were relatively few and small, from Catherine, when the Bashkirs mutinied under mullah Batyrshah in 1775, to Nicholas II, when the Muslims of "Turkestan" rose in 1916 in response to the drafting of nearly half a million men to serve in Russian work units behind the front lines of World War I.

Crews's book is solid and enlightening, and his research is prodigious, documenting a century and a half of the state's role as mediator, enforcer, and supreme resource for the claimants to the leadership in Muslim communities. Crews has studied police reports, court records, the writings of Russian Muslim clerics, and the petitions of Muslim subjects, and he comes away with a fascinating and important story, which he tells skillfully. (Though the gentle reader ought to be prepared to translate into plain English sentences such as "The institutional environment facilitated maneuvering that challenged religious scholars' claims to exclusive monopoly of religious knowledge and enabled a more dynamic contest about the definition of Islamic norms.")

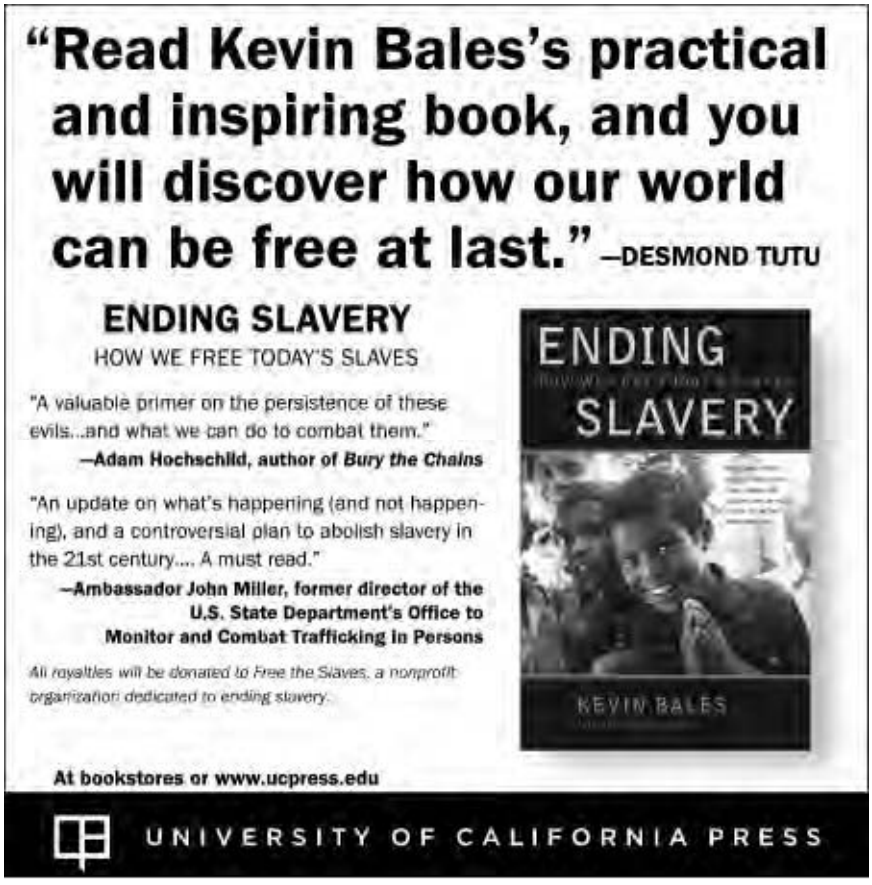
It was Catherine who thought it useful to make the imperial regime a "patron of Islam." Even in the middle of the first of several Russo-Turkish wars of her reign, Catherine disregarded the bloodthirsty urgings of her pen pal Voltaire (in 1771 he advised the empress to "exterminate the two great scourges of the earth—the plague and the Turks") and re-affirmed the right of the Turks' co-religionists, the Turkic-speaking Tatars, to build stone mosques "in the presence of"—that is, a stone's throw from—Orthodox churches, despite the strenuous objections of the Russian Orthodox Episcopate in Kazan. Half a century later, while fighting the Turks in the northern Caucasus, a Russian general advised the Muslim Adygei people, one of the largest ethnic communities of Dagestan, that "this war does not concern you" and that "the Russian government will not confuse you with the Turks." At about the same time, in 1823, the first mosque in Moscow was dedicated, and Crews reports that all the while a copy of the Qur'an was kept in the Kremlin so that Muslims could swear the oath of allegiance.

"Official" Russian Islam began with the establishment of the "Ecclesiastical Assembly of the Muhammadan Creed" in 1788, in the Bashkir capital of Ufa. The head of the assembly was appointed the mufti of all Russian Muslims and given a princely state salary of fifteen hundred rubles a year. Later moved to the city-fortress of Orenburg in the southeastern Urals, the assembly was granted supreme authority over the theological matters, daily rituals, and family affairs of the Islamic community. Birth, marriage, and divorce became "the exclusive domain" of "Mohammadan clergy," and the Muslims were to follow the legal opinions, or fatwas, of the supreme mufti. Between 1836 and 1888, the assembly licensed almost 14,000 clerics, and on its hundredth anniversary it oversaw 4,254 parishes, where more than 7,000 clerics ministered to 3.5 million Muslims.

When the relentless imperial expansion brought Russia in contact with the Kazakh pagan nomads, their conversion to Islam became an official policy, designed to turn them away from cattle-stealing and slaving raids on the Bashkirs, Russians, and Kalmyks along the southern frontier and to make them into law-abiding imperial subjects. To that end, Moscow dispatched Tatar clerics to the Kazakh steppes, and in 1787 Catherine ordered the printing of the Qur'an in St. Petersburg to be distributed to the Kazakhs. (By the end of the eighteenth century, 3,600 copies were also sold to Russian Muslims.)

Moscow's policy certainly succeeded where it mattered most: among the Tatars. Inspired and enabled by the great liberalizing reforms of Alexander II, the progressive Tatar intelligentsia in the 1860s and 1870s sought to redress the "backwardness" and "stagnation" of Islam and to bring it into line with European "enlightenment" and "progress." The reformers, who became known as "jadids"—from the Arabic *usul-i jaded*, or "new method"—started publishing a bilingual Turkic and Russian newspaper, and Kazan merchants and entrepreneurs supported Russian-language instruction in the Qur'anic schools and colleges that they funded.

Of course, there always was a powerful international dimension—"geopolitical," as we would call it today—to Russia's Islamic policy.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Russian Muslims were a coveted prize in the bitter contest for the Caucasus with the Ottoman Empire and Persia, and later in the "Great Game" between Russia and Britain in Central Asia and Afghanistan. At the outset of World War I, the Ottoman sultan—who was also a self-proclaimed caliph, or supreme political leader, of the entire *umma* (the worldwide community of the faithful)—issued a fatwa from Istanbul commanding all Muslims to wage jihad against the Russians, the British, and the French.

The German kaiser, too, dreamed of a "wild revolt" of the world's Muslims against the Entente. A German fighting song (to which a German Orientalist scholar reportedly had contributed) called on "Muslim comrades": "I am a Christian, and you are a Muslim, But that doesn't harm a thing!/Our victory is certain,/Our fortune is not a dream!" (The German campaign prompted a clandestine counter-effort by British intelligence, which was masterfully portrayed in John Buchan's novel *Greenmantle* in 1916.) The Orenburg mufti duly responded with a call to his co-religionists to show their devotion to "our fatherland, near and dear to our hearts, the hearts of Muslims."

Like other subjects of the empire—most notably the ethnic Russians themselves—Muslims resisted conscription or deserted, and some may have emigrated from the Volga and the Urals regions to the Ottoman empire during or right after the Crimean and Balkan wars with Turkey, but in the end Russia's Muslims passed the ultimate test of citizenship—from the Bashkir cavalry in the eighteenth-century campaigns against the Swedes and later against Napoleon to the more than one million Muslims fighting for the fatherland in World War I. When, on February 21, 1913, the Muslim nobility came to the St. Petersburg mosque to celebrate the three hundredth anniversary of the Romanov dynasty, they were joined not only by the Muslim members of the parliament, but also by an army general.

Still, for all its relative tolerance and sophistication in managing its Muslim subjects, Russia remained a police state, complete with domestic passports and residence permits, which, although deployed most notably against Jews, affected Muslims as well. Proselytizing to non-Muslims and converting them to Islam were criminal offenses. After the Main Administration of the Religions Affairs of Foreign Confessions was created in 1810, there was never any doubt that ultimate and unchallenged control over "Muslim affairs" was in the hands of the state bureaucracy. (Two decades later the administration found its proper and permanent home in the Ministry of Internal Affairs—that is, the police.) Just as it did with the leaders of the Russian Orthodox Church since the time of Peter the Great, the government "trusted but verified" by creating a carefully vetted Muslim clerical *nomenklatura*. In one instance, in the second half of the nineteenth century, the job of the Orenburg mufti was given to a Tatar noble who had no religious background but was politically very reliable. In the last third of the nineteenth century, separate state administrations were established for the Sunnis and the Shia in the Caucasus.

Unlike the rulers of Spain, the czars never presented their Muslims with the choice of conversion or expulsion. Yet the Russian army's brutality and the senseless destruction it left in its wake—which Tolstoy recounts in heartbreaking detail in *Hadji Murat*—forced hundreds of thousands of Muslims to flee the Caucasus and the Crimea. In 1820, Crews tells us, Nicholas I defined his army's mission in the Caucasus as "the pacification for good of the mountain peoples or the extirpation of the recalcitrants."

In the early 1830s, after the Russian field commanders in the Caucasus identified the religious leaders (the "guides") of the Sufi school of Islam as "agents of fanaticism" and the "backbone" of the guerilla resistance (Imam Shamil was a Sufi), the Foreign Ministry attempted to rescind Alexander I's twenty-seven-year-old decree permitting Central Asian hajjis to travel through Russia to Istanbul and Mecca. "Instead of going to Mecca for worship," the ministry reported, "[they] have stayed among us in places inhabited by Muhammadans, [and] incited in the latter fanaticism and have engendered all kinds of subversive principles." A decade later, Nicholas I prohibited "the entry across our borders of any figures of Muhammadan ecclesiastical rank," and the War Ministry secretly ordered the Orenburg governor to deny Muslims permission to go on the hajj. The pilgrimage to Mecca, the ministry argued, "diverted" Muslim soldiers and officials form the service to the state," while the hajjis returned with an "influence on their co-religionists [that is] unfavorable to us."

Despite their clearly official status, the Russian state also withheld from Muslim clerics the rights and privileges accorded to Russian Orthodox priests, most significantly tax-exempt status. The authorities never hesitated to interfere forcefully and openly in intra-Muslim theological, legal, and social affairs, so as to promote those interpretations of Islamic legal norms and doctrines deemed most beneficial to the state and to support the clerics advocating them, while curbing or banishing those considered subversive. Local administrators were empowered to abrogate the rulings of Islamic courts. (In some instances, painstakingly documented by Crews, such interventions were progressive, as in the case of the two women in the Fergana Valley sentenced by a local justice of an Islamic court to several months in jail for wearing Russian clothes and appearing on the streets unveiled.)

The empire, Crews notes, "needed Islam but feared its guardians." Mosques were closed, and dissident men of religion were harassed and spied on. The Muslims' ties to foreign hubs of scholarship (Kabul, Istanbul, Baghdad, Cairo, and Mecca) were closely monitored and occasionally severed. Protests were suppressed resolutely. And so finally, for all its richness and all its consonance with the concerns of today, there are sharp limits to the usable past for anyone seeking to learn from the Russian experience of "the search for peace between Muslims and their non-Muslim rulers," as Crews puts it. Bought at so steep a price in civil and political liberties, such stability would be too costly for our idea of a democracy. In the end, Crews rightly concludes, the mixture of "co-optation, patronage, and policing [that made Islam] the enduring pillar of the tsarist imperial order" may be ill-suited for states that "value democracy and human rights."

II.

And what of post-Soviet Russia, where a return to pre-1917 conditions surely would have been an enormous advance over the Soviet totalitarian state's complete ownership of religious institutions (together with everything else in the country)? With the strategic vision and tactical brilliance that he wielded until unimaginable stress, multiple illnesses, and painkillers mixed with alcohol ruined him, Boris Yeltsin pulled Russia from the brink of disintegration in the early 1990s first by resurrecting the tradition of cultural and religious autonomy for ethnic minorities, and then by quickly going beyond it to democratic self-rule for all of Russia's (then) eighty-nine federal regions. When, in 1995, he authorized the direct election of regional governors, for

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the first time in its history there was a Russian state that was both radically decentralized and whole. Until then, the only alternative to chaos had been autocracy or dictatorship.

Tellingly, Yeltsin chose Ufa as the place from which to proclaim the policy that was to save Russia. "We are saying to the Bashkir people," he declared in August 1990, when he was the chairman of the Supreme Soviet of the Russian Soviet Federated Socialist Republic, "take as much power as you can swallow!" Three months after the Soviet Union's demise, in March 1992, the Kremlin and the ethnic "autonomous republics" agreed on the Federal Treaty, which laid the foundation of Russia's new federal state.

Of the sixteen republics, only two refused to sign the treaty. One was Chechnya, the other was Tatarstan. Yeltsin stubbornly pursued negotiations. He succeeded with Tatarstan, the heavily Russified nominal home of the 5.5 million Tatars (more than half of them living outside the republic), about the size of Ireland. In February 1994, a bilateral treaty was signed between Moscow and Kazan, Tatarstan's capital. Unprecedented for Russia, and with few analogies in modern history, the Republic of Tatarstan was declared "a state united with the Russian Federation" rather than its subject. Moscow granted Tatarstan most of a sovereign nation's rights: flag, constitution, taxation, the ownership of very formidable oil deposits. Tatarstan was allowed to conduct its own foreign trade, and its youths were exempt from the all-Russian military conscription. Soon other ethnic republics and smaller ethnic enclaves (*oblasts*, or provinces), as well as some of the largest ethnic Russian regions, demanded such treaties. These, too, were duly negotiated and signed, bringing the total number to thirty-one by the summer of 1997. Not one province since then has threatened to leave Russia.

But Chechnya's story grew steadily, and then irreversibly, darker. Less than two years after declaring independence in November 1991, Chechnya's elected president, Dzhokhar Dudaev, formerly a major general in the Soviet Air Force, dissolved the parliament, killed scores of protesters, and became an erratic and paranoid dictator. Dudaev's enemies, real or imagined, were swiftly murdered by his small army of bodyguards. Chechnya was turning into a lawless enclave, with a population of 1.2 million people and almost as many small arms. Trains passing through the republic were routinely robbed, and passengers were advised to barricade themselves in their compartments. To prevent the spread of irredentism to other Muslim areas of the northern Caucasus, to protect a pipeline that carried hundreds of thousands of barrels of oil through Chechnya from the Caspian fields to the Black Sea port of Novorossiysk, and to deny the left-nationalist bloc in the Duma yet another propaganda tale of the "liberals" who were "destroying Russia," the Kremlin tried everything from economic blockade and covert subversion to support of the unsuccessful anti-Dudaev uprising in November 1994. On December 11, 1994, Yeltsin ordered 40,000 federal troops to "restore order" in Chechnya.

A combination of prison, torture chamber, and hard-labor camp, the sullen and dysfunctional Russian army was no match for the fearless, skillful, and tenacious Chechen fighters, spurred by the memories of nearly two centuries of the bloody contest with Russian and Soviet imperialism and of genocide. (In 1944, Stalin deported the entire Chechen nation of 489,000 people to Central Asia; an estimated 200,000 died of disease and starvation). Trapped in the streets of Grozny, the untrained, hungry, and cold eighteen-year-old Russian draftees were mowed down by the hundreds: machine-gunned, blown to pieces by grenades, burned to death by flame-throwers, and crushed by their own tanks, as Russian commanders kept sending more and more troops into the ambushes. By the time Grozny was taken in Stalingrad-like house-to-house fighting a month later, an estimated 24,000 (perhaps as many as 30,000) Chechen civilians were dead, together with 1,800 Russian troops officially reported killed. (The actual number is almost certainly higher, perhaps by orders of magnitude.) The Chechens also began a very effective guerrilla campaign increasingly punctuated by stunning strikes outside Chechnya, including mass hostage-takings. Fought with extreme brutality on both sides, most of the war's casualties were inflicted by the Russians, who killed, tortured, pillaged, and raped with abandon.

In the middle of a very tough and freely contested presidential race, with public opinion a key factor in Russian politics and the still-uncensored and often privately owned television stations nightly feeding millions images of the Chechen carnage, Yeltsin pledged to end the war. After his re-election, he

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kept his word. In the pre-dawn hours on August 31, 1996, in the Dagestani town of Khasavayurt, General Alexander Lebed, then secretary of the Kremlin's Security Council and one of Russia's most popular politicians, signed an agreement that granted Chechnya "full control" over its internal affairs, including finance and natural resources.

Although its "final status" was to be decided in negotiations with Moscow in five years, and although not one country except Taliban-ruled Afghanistan was to recognize it as such, for all intents and purposes the Republic of Ichkeria—a lone howling wolf on its flag—became a de facto independent state, even as Moscow continued to send millions of rubles for reconstruction, pensions, schools, and hospitals in support of the legal fiction of the republic's continuing membership in the Russian Federation. By January 1, 1997, not a single Russian soldier or policeman remained on Chechen soil.

It was too late. The transformation of the Chechen conflict from a largely secular movement of national liberation into a religious war had already begun. The symbol of the Chechen resistance, General Dzhokhar Dudaev—nattily dressed and smoothly shaven (save for a tiny, expertly trimmed moustache), a former member of the Communist Party of the Soviet Union—was killed by a Russian missile in early 1996, and he was replaced by a coterie of Wahhabi warlords with luxurious beards and hairless upper lips, shaved heads, and baggy short cotton trousers. The most resilient and determined and lethal among them, Shamil Basaev, became Ichkeria's prime minister under President Aslan Maskhadov. By then he had reportedly already trained with Al Qaeda in Afghanistan.

Even before Maskhadov declared it an Islamic republic in November 1997, Chechnya introduced Islamic courts, which swiftly started passing sentences on those who violated *sharia*, or Islamic law. In April 1997, in the first of the executions broadcast on Chechnya's state-run television, a group of hooded men slit a man's throat. Subsequent executions by firing squad took place in Grozny's Friendship of Peoples Square in the presence of thousands of spectators. In February 1999, *sharia* became the official law of Chechnya. In response to statements by Yeltsin and the Duma, horrified by "barbaric," "medieval," and "impermissible" acts in what was nominally still part of Russia, the Chechen presidential spokesman said: "The disapproval by Russia and the West of our actions—shooting by a firing squad and public executions—means that we're heading in the right direction. There is no doubt that only the laws of Allah and norms of *sharia* will be in force in Chechnya."

From an internal affair of Russia's, largely neglected by the Muslim world, Chechnya turned into a Muslim cause, a major battlefront of world jihad. Already by 1995, along with mujahideen from Bosnia and Azerbaijan, some three hundred "Afghan" Arabs were said to be fighting in Chechnya. Among them was the Saudi-born Jordanian Abu Ibn Al Khattab, who soon became a top commander and Basaev's friend and confidant. Khattab's goal was a North Caucasus caliphate.

In December 1996, Osama bin Laden's deputy Ayman Al Zawahiri tried clandestinely to enter Chechnya and develop a new base for the organization after Sudan expelled the Al Qaeda leadership. Arrested in Dagestan, which borders Chechnya in the east, Zawahiri spent six months in prison in Makhachkala, the capital. He was found guilty of entering Russia without a visa and was released in May 1997. In a handwritten statement in Arabic made public by the Russian authorities five years later, Zawahiri claimed to be a "businessman" who had entered Dagestan "to study the local market and to build contacts for our business." In a file stored on a laptop computer found in an Al Qaeda safe house in Kabul after the fall of the Taliban, Zawahiri wrote that "God blinded [the Dagestani authorities] to our identities."

According to testimonies in 2002 at the trial in Hamburg of Mounir Motassadeq, a Moroccan accused of assisting the September 11 hijackers, his friends and co-conspirators—who were "obsessed with jihad" and "cheerfully" sang songs about martyrdom—"always talked about Kosovo, Afghanistan, and Chechnya." In the fall of 1999, three of the September 11 pilots—Mohammed Atta, Marwan Al Shehhi, and Ziad Jarrah—left Hamburg for the Al Qaeda training camp near Kandahar, in Afghanistan, with the intention of "fighting the Russians in Chechnya." They were told that there were "enough fighters" in Chechnya. Instead, according to German investigators, the Al Qaeda leadership ordered the three to "begin laying plans" for what became the September 11 attack.

By then there were reportedly at least a hundred Al Qaeda fighters among the Chechen resistance force that used the Pankisi Gorge on the Georgian side of the Chechnya-Georgia border as a staging area for raids into Chechnya. According to Georgian investigators and to American "intelligence sources," the Al Qaeda contingent "split their time between helping the Chechens in their war against Russia and helping the [Al Qaeda] international organization in its war against the United States." (Three years later, the American-trained Georgian commandos captured fifteen Arabs in the Pankisi Gorge and immediately extradited them to the United States. Among the prisoners was the Egyptian Saif Al Islam El Masry, a member of the Al Qaeda military committee. Trained by Hezbollah in southern Lebanon and sent to Somalia in the early 1990s, he was mentioned in the federal indictment of a prominent Muslim charity, the Illinois-based Benevolence International Foundation, as an officer of the foundation's "Chechen branch.")

The agenda of the Chechen resistance began to change. For most field commanders, the goal of peace and prosperity for an independent Chechnya seemed to be gradually displaced by martyrdom and victory in jihad against Russia. After a series of raids, assassinations, and kidnappings outside their new country, Basaev and Khattab led the invasion of Dagestan on August 2, 1999 with the goal of establishing an "Islamic republic of North Caucasus." Basaev called on the Dagestanis to "rise up and end 140 years of occupation by the Muscovite infidels."

Two months before the invasion, Chechnya's president, Aslan Maskhadov, told an interviewer: "After the [1994–1996] war I was tired, I was dreaming about a respite, as was the rest of the Chechen nation. But even then it looked like war was imminent. With dismay I listened to the speeches of a variety of [Chechen] politicians and [military] commanders. These calls for holy war, the liberation of the Caucasus, flying green flags [of Islam] over the Kremlin. I knew everything was heading toward war." After the invasion was repulsed, Shirvani Basaev, Shamil Basaev's brother, declared that "the assault on Dagestan was just a rehearsal. It was nothing to do with oil or territory. This is jihad."

Appointed prime minister a month later by a panicked and very sick Yeltsin, in large measure to defend Dagestan, Vladimir Putin would later complain that it took almost a month for the Kremlin to put together a force of bat-

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tle-ready and equipped troops to confront between one thousand and two thousand Chechens: "There was nobody to send to war." The invaders were repelled primarily by Dagestani troops, local militia, and private citizens whose attachment to personal firearms easily matches, say, that of Texans. But once the troops were assembled, Putin pursued Basaev into Chechnya. Determined to bomb rather than to storm, the Russians reduced Grozny to rubble and forced the resistance into the mountains again.

III.

What happened afterward is the heart of Gordon M. Hahn's book about "Russia's emerging revolutionary jihadist terrorist network." *Russia's Islamic Threat* is almost certain to become the definitive work on the subject. Exhaustively researched, it is dense and sometimes wearying, with all the elegance of a graduate school paper. Its wooden and arid language is littered with acronyms and flooded with names, facts, and figures, as well as long verbatim passages from Islamic websites. But the tale that Hahn tells is as substantial as it is striking. He describes his book as an effort to fill a "shocking" void in our knowledge, and he has a few shocks of his own to deliver. That the book is at times alarmist does not make it less alarming—not with potential terrorists on the loose in a land with 16,000 nuclear warheads, half of the world's highly enriched uranium (at least 400 tons) and weapons-grade plutonium (another 100 tons), 40,000 tons of chemical weapons (including at least 1.9 million artillery shells filled with deadly nerve agents), and unknown quantities of deadly biological substances.

Should the loyalties of most of Russia's Muslims start to waver between the motherland and the jihad, the demographic trends, as everywhere in Europe, would spell a very troubling future. Of all Russia's myriad ethnic groups, the fertility rates of its Muslim peoples are the highest. Between the censuses of 1989 and 2002, the number of ethnic Russians declined by 3 percent and the number of Muslims increased by 20 percent. To make matters worse, the largest population increases have been recorded in the Muslim North Caucasus (especially in the autonomous republics of Dagestan, Ingushetia, and Kabardino-Balkaria), where the levels of unemployment are also the highest—as is involvement in militant Islamist networks anywhere in Russia outside Chechnya. By mid-century, Hahn surmises, such decidedly inauspicious circumstances may produce "a torrential river of jihadist volunteers."

In addition to his meticulous examination of the fundamentalist networks, Hahn's signal contribution is in placing the threat in a larger context of what he correctly labels Putin's "counter-revolution." Having won a few battles, Hahn suggests, Putin (or rather, Russia) may be losing the war for the North Caucasus and, in the longer run, for the hearts and minds of many of its Muslim citizens.

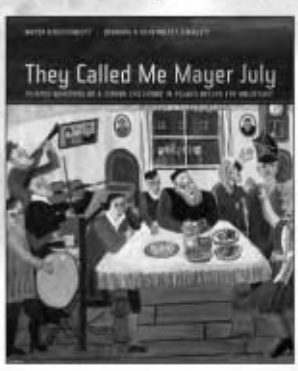
Between the years 2000 and 2004, it looked like Moscow was losing the war on terror as well. The number of attacks grew exponentially every year, reaching 561 in 2003 (from 20 in 1999). Just as troubling was the symbolic orchestration of the assaults. The same Chechen fighters whose daring and acumen resulted in casualties that were only a fraction of those they inflicted on the enemy, and who again and again defied enormous odds by slipping through seemingly impenetrable perimeters set by the Russians (and bringing out their wounded and dead with them), now seemed to be celebrating death and seeking martyrdom.

On the tape aired by Al Jazeera the day after the spectators in a Moscow theater were taken hostage in October 2002, one of the black-clad Chechens said: "I swear by God we are more keen on dying than you are keen on living." The terrorists spoke against the backdrop of a green banner with the words "God is great" written in Arabic. The women wore hijabs, which had not been seen on Chechen women before. "We have come to die in Moscow," one of them was heard saying on the same tape, "and we will kill hundreds of infidels."

In a radio interview from inside the theater, the hostage-taker's leader called his troop "Islam's suicide brigade." "Our motto is freedom and paradise," one of his soldiers added. "We already have freedom as we've come to Moscow. Now we want to be in paradise." Shortly thereafter, Shamil Basaev renamed the "brigade" *Ryad as-Salahin*, the Arabic for "gardens of peace," which can also be interpreted as "salvation" or "paradise." (The group would claim the responsibility for all major terrorist attacks in Russia since then, most recently the derailment of the Moscow–St. Petersburg express this past August.)

Yet nothing prepared Russia and the world for the bacchanalia of violence in 2004. Hahn mentions the subway

"Lest future generations know more about how Jews died than how they lived."
—Mayer Kirshenblatt



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bombing in Moscow in February (more than forty killed and over 130 injured); the assassination in May of Chechnya's Moscow-installed president Akhmad Kadyrov (together with at least five others, as well as fifty-three injured); the murder of the two highest-ranking police officials in Ingushetia in June; the simultaneous crash of Russian planes caused by two female suicide bombers on board in August (eighty-nine killed); another Chechen woman blowing herself up at the entrance to a Moscow Metro station (nine people killed and at least forty-one injured). And then, the next day, the grisly climax: the seizure of 1,200 hostages in School Number One in Beslan, in North Ossetia, by thirty-two heavily armed Chechen-led terrorists. At the end of three days of utter confusion and incompetence by the Russian authorities, more than 300 people, including 186 children, were killed by fire, explosives, and bullets.

Since then, the number of terrorist attacks has gone sharply down. We can only guess why. Perhaps the best-trained and most dedicated cadres died in suicide attacks and replacements were hard to find, since Iraq has likely consumed most of what the Jihadi International has to offer. The relentless pressure in Chechnya, where Russian authorities found effective allies in the thuggish former rebels, has resulted in the hunting down and killing of Maskhadov, along with several other top commanders. Finally, in July 2006 Basaev was killed by the accidental detonation of an explosives transport he was accompanying.

But there was no respite. Instead of spectacular terrorism, the jihad effort shifted to the North Caucasus, especially the largest of the "autonomous republics," Dagestan. Unlike 1999, it was not an invasion, but what experts on subversion and terrorism call "low intensity" warfare. Whatever its intensity, it was very deadly.

An ethnic quilt of thirty-four peoples, two million in total, all of them Muslim (save for Orthodox Christian Russian settlers and Ossetians, as well as a handful of the "mountain Jews," the Tats), Dagestan is a promising target, a classic "weak link" that may precipitate the collapse of Moscow's authority in the northern Caucasus. Along with Chechnya, Dagestan held out the longest and cost the Russian empire the most in treasure and blood to conquer and to colonize. Islamic since the seventh century (one of Russia's oldest mosques is in Derbent, on Dagestan's Caspian shore), Dagestan, a little bigger than Maryland, before the Bolshevik revolution had 1,700 mosques and 400 madrassas. Since the Soviet collapse, Dagestan's "re-Islamization," as Hahn calls it, was perhaps the fastest anywhere in the former Soviet Union. Where in the mid-1980s only 27 mosques remained, there were at least 1,600 mosques in 2001—and 17 Islamic universities, 132 madrassas, and 245 Qur'anic schools, led by more than 2,000 imams and mullahs.

It is out of this ardent piety that Basaev and company have, since 1999, sought to fashion the nodal point of the all-Russian jihad. Of the known "combat *jamaats*" (from the Arabic for a society or association) set up in the largest "autonomous republics" of the North Caucasus outside Chechnya—Ingushetia, North Ossetia, Kabardino-Balkariya, and Karachaevo-Cherkessiya—Dagestan's Shariah Jamaat under Basaev's close associate, dubbed the "emir of the Dagestan front," was the largest, with perhaps as many as 2,000 fighters. The Jamaat's Internet postings, Hahn reports, began with blessings to the "Emir of all the *mujahadeen*," his family and followers, and all who have followed them "in a jihad to the Day of Judgment." "We, soldiers of Allah," the texts go on, "having begun on the path of jihad … sacrificed our lives, property, shelter, families, and relatives in exchange for HEAVEN!"

In November 2004, as Dagestan was slipping out of control, Putin dispatched his top adviser, Dmitry Kozak, to Makhachkala to be the "presidential envoy" to the Southern Federal *Okrug* — one of Russia's seven super-districts created by Putin to enhance the Kremlin's control over provinces—that includes the entire northern Caucasus. (Kozak was not only Putin's confidant, he was also a talented jurist and the principal author of the very progressive Criminal Procedural Code of 2001, which is today violated left and right by the Kremlin's prosecutors.) But even Kozak could achieve very little, except to survive ambushes, drive-by shootings, car bombs, and roadside mines that killed scores of local officials, prosecutors, and policemen in the past six years. By the summer of 2005, when terrorist attacks occurred on average every three days, Kozak reported to Moscow that "a macro-regional socio-political and economic crisis" was possible, as was the "sharp growth of radicalism and extremism."

ANTHONY RUSSO

Today Dagestan is barely governable: mired in relentless violence, in unemployment and poverty, and overflowing with Muslim youths with nothing to do. The formerly quiet Ingushetia, which borders Chechnya in the west, is almost as bad, with explosions, mortar attacks, and shootings occurring almost daily. In August, Putin ordered an additional 2,500 troops to the republic, which is smaller than New Jersey and has a population of less than half a million.

IV.

And yet the prospect of an all-Russian jihad, with which Hahn opens his book, is a very remote eventuality today. Toward the end of the book, he wisely re-casts his original thesis into the suppositional and subjunctive moods, with should's, would's, may's, perhaps's, seem's, and appear's, hedging his earlier and darker bet.

The single most important reason for the lowered probability of an all-Russian jihad is the Tatars, the country's largest ethnic minority and by far the most numerous of Russia's twenty-three main Muslim peoples. (At least every third Russian Muslim today is an ethnic Tatar.) They are also the best educated—Lenin graduated from the University of Kazan, the Tatars' ancient capital—and have long been recognized as the Russian *umma*'s cultural leaders. While united in their quest for autonomy and self-rule, and proud of their culture and religion, a vast majority of Tatars do not seem to consider Islam the central component of their identity, much less the sole one. Until now, Tatar nationalism has been solidly secular.

Although there were three ethnic Tatars among the eight "Russian Taliban" detained in Guantánamo and one Tatar among the Beslan hostage-takers, they seem to have been aberrations rather than trendsetters. Hahn's assiduous investigation turned up very thin evidence of even an inchoate Islamic militancy in Tatarstan. Among the explanations are the Tatars' adherence to the moderate Hanafi school of Islam and the legacy of the Jadidism. "I live in Tatarstan and do not want to live like an Arab of the Middle Ages," one of the public opinion leaders, an adviser to the republic's president, declared in 2003. The most urbanized and assimilated among Russia's Muslims—along with Jews and Ukrainians, Tatars have long been the largest non-Russian minority in Moscow—

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they are part of the Russian political, scientific, and cultural elite, as they used to be of the Soviet one.

Yet the secular character of the Tatars' pursuit of autonomy should not be taken for granted. Their aversion to religious fundamentalism may be tested by what Hahn calls Putin's "counter-revolutionary anti-federalism." Like the United States, Brazil, India, and China, Russia is too big and diverse to be a "unitary" state, governed from one center in the absence of a dictatorship. Among the many risks of Putin's "sovereign democracy"—a hodgepodge of illusory shortcuts to stability without democracy or the rule of law, and to prosperity through government ownership of oil and gas exports—the erosion of provincial self-rule is among the most acute. Yeltsin wisely let the spring uncoil, but Putin is unwisely compressing it back toward the "center" (that is, Moscow).

Since 2002, the Kremlin has worked relentlessly to nullify most of the sovereignty clauses in its constitution (as it has in those of other ethnic autonomies), effectively abrogating the treaty of 1994. The campaign culminated in one of those cynical propaganda non sequiturs in which the present Russian government excels: Putin used the Beslan tragedy as a reason to abolish elections of regional governors, who are now all but directly appointed by Moscow. (Tatarstan's president Mintimer Shaymiev was the first among Russian regional leaders publicly to oppose what the Tatar political elite immediately labeled Putin's "coup d'état.")

Just as disturbing has been Moscow's increasingly aggressive infringements on the cultural autonomy of non-Russians. Whereas Yeltsin always used the word *rossiyanin*, or "citizen of Russia," to describe his nationality and that of his compatriots (as opposed to *russkiy*, which describe ethnic Russianness), the present administration is gradually reverting to a Soviet-style representation of the country as emphatically and dominantly the state of ethnic Russians. The Kremlin's party, United Russia, recently sponsored the "Russian Project" television series, which emphasized "Russian civilization" as the state's foundation. In 2002, a law prohibited the use of any alphabet other than Cyrillic anywhere in the country, nullifying Tatarstan's transition to a Latinized script for Tatar-language texts.

Moscow is playing with a particularly hot fire in gradually elevating Russian Orthodoxy to the status of state religion, which the constitution of 1993 (the "Yeltsin" one) explicitly prohibits. The Russian Orthodox Church already has been granted a spiritual monopoly in the armed forces, and classes in Orthodox Christianity have been made mandatory in many regions of the country. This past August, Russia's Council of Muftis issued a statement opposing the introduction of such a course in all state schools. Hahn is right to worry that the failure of Tatarstan's "moderately nationalist nomenklatura" to protect the enclave's political and, increasingly, cultural sovereignty from the encroachments by Moscow may discredit secular nationalism and precipitate the evolution of this loyal and prosperous region toward the North Caucasus's Islam-based sovereignty.

In the meantime, a more proximate danger derives not from a carefully nurtured network of "combat *jamaats*" all over Russia, but from the near-chaos in the North Caucasus. Should the region irretrievably slide into Somalia-like armed anarchy (especially if accompanied by a series of "high-profile" terrorist acts inside Russia), popular revulsion and fear may force the government to abandon the region entirely, leaving it to the assortment of various Islamic warlords and "emirs" to fight over, precipitating ethnic massacres and cleansings, and in the end almost certainly resulting in the emergence of a haven for fundamentalist militants and, perhaps, Al Qaeda.

One cannot read these very different and very useful books side by side without becoming vividly aware of the stubborn circularity in the Russian Muslims' saga, its palimpsest-like texture. "Ichkeria" returned to become the official name of the newly founded Chechen Islamic state a century and a half after Lermontov recorded it in *Valerik* for the first time in Russian literature. Another Shamil emerged to lead the jihad against Russia almost another century and a half after his namesake was captured by the *kafirs* (Arabic for infidels)—as the Russians are again referred to among the Muslim fighters in the North Caucasus. In a meeting with the mayors of Dagestan's towns at the end of August, at which the republic's president declared "combating political and religious extremism" as their "most important priority," he singled out as "particularly vulnerable" the Untsukul District, where a few days earlier gunmen had fired on a police convoy, killing two people and injuring seven. It was in a village in the Untsukul District that Imam Shamil was born, two hundred and ten years ago. ◆

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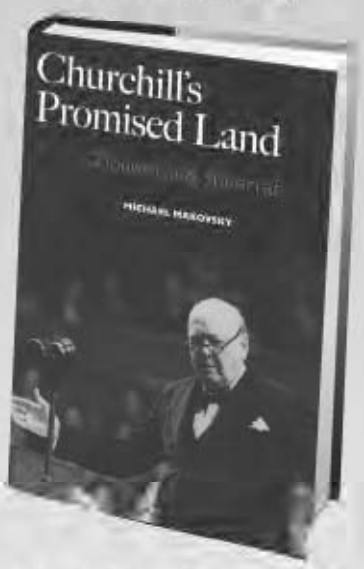

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Oren Harman

NICE GENES

THE ALTRUISM EQUATION: SEVEN SCIENTISTS SEARCH FOR THE ORIGIN OF GOODNESS
By Lee Alan Dugatkin
(Princeton University Press, 188 pp., $24.95)

I.

The saga of man's quest to crack the mystery of altruism is a weird, uplifting, and sometimes tragic affair. Its heroes include a bearded Russian anarchist prince who thought mankind needed to learn a lesson from the animals; a bushy-browed loner who asked to be laid out in the Brazilian rainforest so that his body could be buried and then eaten by beetles; and the enigmatic suicide in a dingy London apartment of an atheist-chemist turned religious evolutionary-mathematician. The tale invites to the stage spitting tadpoles and "free-riding" cuckoo birds, naked blind mole rats, and some over-abused stepchildren of man. It spans the globe from the Siberian tundra to the South American tropics to the African plains, and gallops in time from Aristotle and Aquinas, through Hume and Adam Smith, to the "last man to know all there is to know," and then all the way to economists, anthropologists, and brain imagers today.

In his slim book, the biologist Lee Alan Dugatkin skillfully presents the fabulous tale of modern biology's wrestling with the problem of altruism. After Darwin found "altruism" in nature, a debate broke out between his "bulldog" Thomas Huxley and Pyotr Kropotkin about whether competition or cooperation is the norm in the living world. After all, cooperation was an anomaly in a Darwinian world that was all about struggle and survival. But since it was nonetheless observed in nature, people tried to explain how what seemed like acts of kindness could have arisen over evolutionary time. For a while the answer was that "friendly" groups will have a leg up on groups with selfish fellows, a solution that Darwin himself seemed to arrive at years before. But in the 1960s Bill Hamilton punched a great big hole in this feel-good "togetherness" story. Formalizing a quip made by J. B. S. Haldane, he explained "altruism" by looking at the world from an entirely surprising angle: benevolence could arise in nature precisely because selfish genes were running the show.

This is where Dugatkin's story ends, but we must take it somewhat further. We must ask ourselves what we mean by "altruism," a question that challenges the pretension of science to explain all the wonders of the human condition. *The Altruism Equation* pits the individual against the group and the gene against the individual, true goodness against masquerading self-interest, heartless biological necessity against the transcendence of the spirit. Dugatkin is wonderful on the science, but he forgets to deal with its implications, ending his book too abruptly. This is a tale not only about the majesty of science, but also about the hubris of scientism. One of the greatest projects of modernity is to explain to the public where science does and does not matter, and altruism is a valuable example.

Darwin was dumbfounded by the ants. Many an ant species, he knew, was divided into fast, unbreachable castes. The honeypot ant of the American deserts has workers whose sole job is to hang upside down, motionless, like great big pots of sugared water, so that they may be tapped when the queen and her brood are thirsty. Members of another caste in the same species have gigantic heads with which, Cerebrus-like, they block the nest entrance before intruders. The leaf-cutter ants of South America sport castes that differ in weight up to three hundredfold, from miniature serene fungus gardeners to giant ferocious soldiers. In the ant world, some tend to the queen, others tend to the nest, others to food, others to battle—each to his caste and each to his fate. What Darwin found amazing was the fact that, besides the queen and a few lucky males, all the rest of the ants are effectively neuters. They have no offspring of their own, but instead perform duties that benefit the young of the queen: after all, she is the only female doing any procreating, the sole mother.

For Darwin, the mystery lay in trying to explain how such different behavior and morphology arose in a single species, for since all the workers had no offspring, natural selection could hardly be fashioning their traits through their own progeny. What this meant was that the queen and her mate were somehow passing on to the next generation traits—such as massive heads and gardening-scissor teeth—that they themselves did not possess, an obscurity that Darwin found "by far the most serious special difficulty, which my theory has encountered." (To be fair, he did have a number of such "by far the most…" difficulties.) This was a problem of heredity: how could traits perform such Houdini acts in their journey from generation to generation?

To solve the mystery, Darwin asked a simple question: who benefits from this situation? The answer, he thought, was the family. It makes sense for sterile ants (and bees and wasps and termites) to devote themselves selflessly to others while forsaking their own procreation and even sometimes sacrificing their own lives, if their close kin benefit from such assistance. This was quite an idea, for the very essence of Darwin's theory of evolution, as he declared in *The Origin of Species,* was that "every complex structure and instinct" should be "useful to the possessor." Natural selection could "never produce in a being anything injurious to itself, for natural selection acts solely by and for the good of each." But now Darwin was allowing kamikaze stinging bees and sugar-filled, childless hanging ants to broaden the spectrum of selection: it could fashion the good of the group as well as the good of the individual.

In truth, this was not a solution to the problem, and the mysteries of heredity would linger years into the future, well after Darwin's day. What he did accomplish, however, by way of failing to solve what amounts to a developmental conundrum, was to bring the logic of evolution to bear on a problem that had been the province of philosophers and moralists. Why is it that beings sometimes put the interests of others above their own? Following many other commentators, Dugatkin thinks that "greater-goodism" was Darwin's solution to the problem of selfless behavior in a competitive world, and in a way it was. But again, Darwin was most perturbed by an altogether different riddle; selflessness did not seem like

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much of an anomaly to him once life became a social rather than a solitary affair. So the roots of the attempts to find a biological explanation for kindness lay in the great man's ignorance of how organisms develop, and how the instructions for development are passed on. Scientifically speaking, the problem of altruism was stumbled upon too soon.

II.

It was probably in a dank Victorian library in Harrow, on the outskirts of London, that Prince Kropotkin first laid eyes in 1888 on an essay by Thomas Henry Huxley titled "The Struggle for Existence." Kropotkin was the son of a distinguished aristocratic general who claimed descent from the Rurik family, the rulers of Russia before the Romanovs. He grew up in the style of a country gentleman, courted and fed by more than a thousand serfs, and, at the age of eight, costumed as a Persian page at a palace ball, he was noticed and marked for greatness by Czar Nicholas I himself. At fifteen he was sent to Russia's elite military academy, the Corps of Pages, and, graduating at the top of his class, was assigned to be the private page of the new czar, Alexander II. Although he took a personal liking to his liege, the young prince began to view authority as the greatest impediment to human cooperation, and, taken now by nature, he used his station to duly arrange a surprising outpost in the Amur region, the "outback of outbacks" of the Siberian steppes. This would be his version of the voyage of the *Beagle*, and it would give birth to a theory very different from Darwin's, for Kropotkin had already read *The Origin of Species* and had taken the "struggle for existence" to be entirely wrong.

Years later, in exile in Harrow, Kropotkin was enraged by the words of Darwin's self-appointed bulldog. "Life was a continual free fight," Huxley wrote, "and beyond the limited and temporary relations of the family, the Hobbesian war of each against all was the normal state of existence.... The history of civilization ... is the record of the attempts which the human race has made to escape from this position." Treading the path laid by Malthus, Hobbes, Machiavelli, and Augustine all the way back to the Sophist philosophers, Huxley believed that human nature was fundamentally selfish, and needed the refinement of culture to lift it above the animal fray. After all, how could nature's "war of each against all"—what Darwin called "the doctrine of Malthus applied with manifold force to the whole animal and vegetable kingdoms"—lead to anything other than the survival of the self-interested strong? There was no place in nature for magnanimity, aside from the rare provision of kindness between kin. For the hardened progressivist Huxley, "the ethical progress of society depends, not on imitating the cosmic process [evolution], still less in running away from it, but in combating it."

This "atrocious article" seemed to Kropotkin a distorted mistranslation of rugged British individualism and cutthroat laissez-faire economics into a natural world which was nothing of the kind. Wherever Kropotkin had looked in Siberia, he saw animals struggling together against the elements by sacrificing for each other and building societies of mutual aid. Wolves hunting in packs, horses forming defensive rings against predators, kittens huddling together to stay warm, selfless (and usually solitary) beetles coming together to bury the corpse of a small animal so that some of their kind might live off its decaying organic matter and lay their eggs within—all these made plain to Kropotkin what had escaped Malthus and Huxley and even Darwin himself: cooperation, not competition, was the rule of nature. The "infidels" who had "raised the pitiless struggle for personal advantages to the height of a biological principle" had distorted Darwin's theory. It was Godwin and Rousseau who had it right, not Hobbes: selfishness was not an animal legacy. Cooperation and benevolence were humankind's evolutionary heritage; and if people would only hark back to nature, altruism would flourish and "full liberty of initiative and action" would once again be restored.

Returning to Moscow from the steppes, Kropotkin began a double life as palace aristocrat and peasant agitator, assuming the pseudonym Borodin and moving with subversive alacrity between Winter Palace dining halls and underground anti-czarist meetings, where he published such materials as "The Scientific Bases of Anarchy." His cover was eventually blown, leading to two very lonely and scurvy-ridden years at the Peter and Paul prison, which in turn led to a dramatic escape and finally to self-enforced exile in London's dreary outskirts. Desperate to counter the cutthroat Victorian interpretation of Darwin's natural world, the anarchist prince produced a book, *Mutual Aid*, that quickly became a classic. He went to his grave believing that goodness had been hardwired by evolution into animals as well as into humans, and that if only government were banished and mankind returned to the ways of the wild, altruism and kindness could raise their heads once more.

After *Mutual Aid* was published in 1902, biologists increasingly embraced the theory of "greater-goodism," widening its Darwinian scope from the ants and the bees to a general principle of nature. At Harvard, the entomologist Morton Wheeler spoke of the community as a single individual, rendering "altruism" little more than a specialization of function: sterile workers toiling for the nest made as much sense as a heart pumping for the good of the body. In the 1920s in Chicago, a group of ecologists led by A. C. Allee and Alfred Emerson followed Kropotkin by emphasizing the struggle of organisms against their environments rather than against each other—the kind of battles that Darwin himself had visualized as "a plant on the edge of the desert" struggling against the drought. Darwin had expressly stated that what he meant by the struggle for existence included this more metaphorical kind of battle alongside "nature bloody in tooth and claw," but in practice he tended to discount the former in favor of Tennyson's more bellicose depiction. ("Red in tooth and claw" appeared in Tennyson's poem nine years before the publication of Darwin's book.) By focusing on the more metaphorical kind of struggle, the ecologists from Chicago saw cooperation in nature rather than competition, discovering such surprises as "friendly" starfish and "loyal" sea urchins. Allee was a Quaker who sought to provide the scientific rationale for pacifism that Quakerism invited but lacked. He even contributed a number of articles to The New Republic, arguing that spontaneous aggregations of starfish protecting one another in the absence of grassy cover proved that when humans went to war, they were acting against their cooperative nature.

If life is a competitive struggle, how can cooperation ever arise? How can self-seeking beings ever graduate into selflessness if chivalry is punished and egoism extolled? In the vein of Kropotkin and the Chicago School, an influential Scottish bird expert thought he had the answer. V. C. Wynne-Edwards observed that when food becomes scarce, animals tend to reproduce less, as if consciously regulating their numbers. This could not be explained by classical Darwinism. Why would an individual check his own reproduction, the only true measure of earthly success? Wynne-Edwards offered that if groups that regulated their dispersal did better on the

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whole than groups that did not, then natural selection would tend to favor them over their rivals, and self-regulating behavior would evolve. So the unit of natural selection was the group rather than the individual, for clearly the collective benefit of the crowd could trump the self-seeking interest of the greedy singleton.

Except that Wynne-Edwards and "greater-goodism" had one little problem. They could think of no convincing natural mechanism to explain their feel-good theory, a fact that had been all too obvious to an inebriated genius crouched over his beer in a London pub. He was J. B. S. Haldane. In the 1920s and 1930s, the Cambridge biochemist and mathematical geneticist's popular essays and books were widely read, and his Periclean speeches—to the Royal Society, to Cambridge's iconoclastic Heretics Society, and in Hyde Park—were famous. He was a scientist, a philosopher, a writer, and a political speaker. "*Ce n'est pas un homme*," a scientific colleague said of him, "*c'est une force de la nature!*" Others simply said of Haldane that he was "the last man to know all there is to know." So perhaps it is not all that surprising that, slouched over his beer, Haldane made an offhand remark that was to lead to the apparent solution of the problem of altruism. "I'd jump into the river to save two brothers and eight cousins," he is said to have slurred. Here was the core idea: altruism was a function of genetic relatedness.

But it would not be Haldane who would work it out. That was left to Bill Hamilton, a bushy-browed loner born in 1936 in Oaklea, Kent, just a four-mile walk from Darwin's old Down House. In his youth, Hamilton read the classic tome of R. A. Fisher, another of the great population biologists of the 1930s, and his restless mind became animated with genes and mathematics. Spending lonely nights huddled on the benches of Waterloo Station scribbling equations, Hamilton desperately sought to solve nature's mystery of kindness. His perplexed and increasingly angry supervisors (he was enrolled simultaneously in doctoral programs in anthropology and genetics in two separate universities) did not understand what his anguish was all about: after all, "greater-goodism" instructed that "altruism" protected a species from extinction—case closed. But Hamilton did not believe it. Would not one of Wynne-Edwards's birds, who perceived his friends' communal forfeit in times of strife, stand to gain immeasurably by defecting? Surely such a bird would sire a greater proportion of the next generation, and if his "defecting" nature was passed on through his genes, "cooperators" would be reproductively stamped out of the population. This was a notion that a colorful former student of Haldane's, John Maynard Smith, had also been bruiting about at the time.

So group selection is not evolutionarily stable, and individual selection fails to explain altruistic behavior. Perhaps, then, selection was operating on a completely different level. This had been Haldane's drunken insight: if genes were the entities vying to get to the next generation, then it made sense for individuals to incur a cost at their own expense if at the same time they conferred a benefit on relatives who carried the same genes. From the point of view of the gene, it would not really matter. That is why jumping into a river to rescue two brothers, whose relatedness co-efficient is one-half, or eight cousins, whose relatedness co-efficient is one-eighth, would make sense even if the savior lost his life in the process. Nothing would be lost; the very same genes that would die in the altruist's sinking body would thrive in the bodies of those he had gallantly saved, and could be passed on to their children. Organisms, in this view, were simply the gene's way of getting itself into the next generation.

Trudging through the math, Hamilton finally came up with an elegant equation. $r \times b > c$ was the mathematical formulation of the idea that if the cost (c) of acting altruistically (measured in numbers of offspring the altruist loses by conferring help on another) was lower than the benefit (b) to the recipient of the altruistic act (again, measured in numbers of offspring) times the co-efficient of relatedness (r) of the two players (the probability that the two individuals both possess the gene in question), then genes for altruistic behavior could evolve. Suddenly the mystery of the ants vanished into thin air: since, due to a quirk of their genetics, female workers are more related to their sisters than to their daughters, it actually makes good genetic sense for them to invest in helping their sister, the queen, to procreate like mad. In this way more of their own genes would make it through to the next generation than if they procreated themselves. Incredibly, what became known as Hamilton's Rule seemed to make it possible to predict just how much altruism should be expected as a function of the degree of genetic relatedness: the lower the r, the lesser the degree of "good-heartedness"; the greater the r, the more "chivalry" rises to the fore. Hamilton and Maynard-Smith published these ideas at around the same time in the 1960s, and the face of biology was changed. The gene had emerged as the star actor in the modern production of "Why goodness?"

Meanwhile, in America, a disaffected former chemist turned science writer was breaking up with his religious wife. With the insurance money from a botched thyroid operation, George Price bought a ticket on the *Queen Elizabeth* and sailed to England. There, he decided, he was going to help crack the problem of altruism. Never mind that he had no statistical or biological education, nor institutional affiliation, nor any connections. Noting on his resume that the years 1967–1968 would be devoted to "reading and writing in London on evolutionary biology, while living on savings," Price went straight to work. Soon a daunting realization struck him: not only was Hamilton's mathematics sound, but in fact it could be generalized further to explain not only altruism but also the evolution of spiteful behavior. The logic of the gene seemed unassailable: beings were good to each other, or bad, because their genes were running the show.

Price grew increasingly disturbed. If genes were our masters, then—contrary to our intuition—no true goodness could ever exist. It was all a farce: self-interested genes masquerading in "altruistic" bodies, Nature's grotesque joke on her sole conscientious creation. Once a passionate atheist, Price now discovered God. As if trying to fight nature's cruel inheritance, he began giving away his possessions to the destitute among whom he lived, desperately seeking to find a genuine goodness within. In the end, hopeless, broke, and alone, he slit his throat and was found dead by the police on the linoleum floor of his decrepit London squat. The funeral, on a cold, rainy day in January 1975, was attended by eight people: Hamilton, Maynard-Smith, and a handful of red-nosed drunks who had been Price's last companions.

III.

Hamilton's Rule was good for the family, but what about altruism between non-kin? Dugatkin stops here, but this, after all, has been the moralist's concern throughout the ages, sacrifice among relations being intuitively less of a riddle. Recognizing the problem, the Jewish and Christian traditions exhorted their followers to "love thy neighbor as thyself," but Aristotle was more hard-boiled. "The friendly feelings that we bear for another," he wrote

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in the *Nichomachean Ethics*, "have arisen from the friendly feelings that we bear for ourselves." Pagan thought was not the only hardened philosophy on the moralism block: Aquinas took a surprisingly utilitarian position, arguing in the *Summa Theologica* that we should love ourselves more than our neighbors. His interpretation of the Pauline phrase was that we should seek the common good more than the private good, since the common good is a more desirable good for the individual. Hume, in *A Treatise of Human Nature*, spelled out what the medieval theologian was thinking: "I learn to do service to another, without bearing him any real kindness: because I foresee, that he will return my service, in expectation of another of the same kind, and in order to maintain the same correspondence of good offices with me or others." In 1776, the year of Hume's death, his Edinburgh neighbor, the economist Adam Smith, put it even more directly in *The Wealth of Nations*: "It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own interest. We address ourselves not to their humanity but to their self-love, and never talk to them of our own necessities but of their advantages. Nobody but a beggar chooses to depend chiefly on the benevolence of his fellow citizens." And most succinct of all was Bernard de Mandeville's couplet, from 1714: "Thus every Part was full of Vice / Yet the whole Mass a Paradise."

And so, when a precocious son of Lithuanian Jewish immigrants started his education at Harvard in the early 1960s, he had quite a philosophical tradition to build on. But Robert Trivers was not interested in biology; he wanted to be a lawyer, and it would take a tragic breakdown (a mania that took the form of staying up all night, night after night, reading Wittgenstein and finally collapsing) to bring him closer to the animal world. While recovering, Trivers (who, strangely, does not appear in Dugatkin's book) took a course in illustrating, and was hired to draw animals for a biology textbook. His mentor was Bill Drury, an ornithologist whom the young Trivers learned to love and revere. "Bill and I were walking in the woods one day," Trivers once told a reporter, "and I told him that my first breakdown had been so painful that I had resolved that if I ever felt another one coming on, I would kill myself. Lately, however, I had changed my mind, and drawn up a list of ten people I would kill first in that event. I wanted to know if this was going forwards or backwards. He thought for a while, then he said, 'Can I add three names to that list?' That was his only comment." With Drury's encouragement, Trivers signed up for a doctorate in zoology armed with a plan to study monkeys. But his adviser was a herpetologist, and pointed Trivers to Jamaica and lizards instead. "When we flew to Jamaica," Trivers remembers, "I took one look at the women and one look at the island and decided to become a lizard man if that's what it took to go back there." Thus was born the career of the man who would pretend to explain altruism.

Like Hamilton and Maynard-Smith, and indeed Darwin before them, Trivers thought that behavior was as much a product of evolution as were eyes and ears and feathers and tails. And with the help of solid Darwinian and game-theoretical logic, he came to see, like Aquinas and Hume and Adam Smith, that self-sacrifice could serve one's interest if the chance was better than decent that the good deed would someday be repaid. This depended on the rewards of cooperation outweighing the costs of conflict, on coming into regular contact with one's neighbors, and on being able to remember just how friendly or selfish they had been in previous encounters. The theory of "reciprocal altruism" was modeled as the famous Prisoner's Dilemma, and Trivers and others were able to show that repeated encounters between "players" would produce cooperative behavior, since in the long run this provided more gain. Literally and logically, benevolence can be born of self-seeking: under the right circumstances, cooperation actually pays.

Game-theoretical logic combined with the all-powerful point of view of what Richard Dawkins called "the selfish gene" to make a revolution in the study of the natural world. Whether animals aid their kin (ants and wolves who help their sisters breed) or nonrelatives (generous vampire bats who share blood, mouth to mouth, at the end of the night with members of the troop who were less successful); whether animals abandon their children (many species of birds do so when the going goes rough) or sacrifice themselves for the next generation (male praying mantids serve their heads during coitus to their avaricious ladies); whether they help the group (Kropotkin's Siberian steeds forming rings against predators) or themselves at the expense of others (from common colds to cancer)—no matter how they appear to serve others, all living things are acting in the interest of their true masters: a cabal of genes whose sole imperative is their own replication. In the body, in the family, in the outside world: countless iterated games and events of selection had fashioned genes that do whatever it takes to survive.

This perspective could sometimes lead to wacky notions. Here is Dawkins:

> Consider a pride of lions gnawing at a kill. An individual who eats less than her physiological requirement is in effect behaving altruistically towards others who get more as a result. If these others were close kin, such restraint might be favored by kin selection. But the kind of mutation that could lead to such altruistic restraint could be ludicrously simple. A genetic propensity to bad teeth might slow down the rate at which an individual could chew at the meat. The gene for bad teeth would be, in the full sense of the technical term, a gene for altruism, and it might indeed be favored by kin selection.

"Tooth decay as altruism?" the biologist and philosopher Helena Cronin asked, in her book *The Ant and the Peacock*. "That's hardly how saintly self-sacrifice was originally envisaged! And yet," she added, "the logic is unassailable."

The concept that genes, unrelated to our own notions of kindness, could be responsible for behaviors that we choose to so define was quite a strange notion. But a specific insight of Trivers's that was even more jarring, for it came closer to traditional notions of what kindness really means. Benevolence, Trivers reasoned, requires a strong sense of justice.

Animal Kingdom

Birdsong, antiphonal, shuttles the maples between Temple and Cliff Ave with gold.
My splayed titian cocker glosses my fir floor. Smoke-dark, my cat droozling this page.
Don't let me leave the earth too soon.
I don't sleep at night. I am nothing,
a mossy-lipped, granite, abandoned farm well full of iron-icy, deep, black well water.
Where are the people, Melissa? I don't know. Oh, don't let me leave the earth too soon.

MELISSA GREEN

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This is because a sense of justice is necessary in order to appreciate dishonesty, and what better way to police a system of reciprocal good faith than to be able to detect deceit? Over evolutionary time, beginning with the animals, a genuine instinct of fairness had been born from the need to distinguish trusty campers from party-pooping cheats. Our sense of right and wrong, after all that could possibly be said and thought about it, is actually in our genes.

Darwin, in fact, had the original intuition, only without the accompanying game-theoretical logic and the gene's-eye point of view. In *The Descent of Man*, in 1871, he wrote:

> Mr J. S. Mill speaks, in his celebrated work, "Utilitarianism," of the social feelings as a "powerful natural sentiment" and as "the natural basis of sentiment for utilitarian morality." … But … he also remarks, "… the moral feelings are not innate, but acquired. …" It is with hesitation that I venture to differ at all from so profound a thinker, but it can hardly be disputed that the social feelings are instinctive or innate in the lower animals; and why should they not be so in man? … [Several thinkers] believe that the moral sense is acquired by each individual during his lifetime. On the general theory of evolution this is at least extremely improbable. The ignoring of all transmitted mental qualities will, as it seems to me, be hereafter judged as a most serious blemish in the works of Mr. Mill.

In private, rhetorical deference could duly be abandoned: "He who understands baboon," Darwin wrote in his personal notebook, "would do more towards metaphysics than Locke." The mind had been crafted by millions of years of evolution. Life in small, socially stable units produced in Nature something entirely, spectacularly new: the biological adaptation of morality.

IV.

So where do we stand today? Haldane's drunken insight and Hamilton's resulting rule have actually held up incredibly well. From the African naked mole rats—the mammalian equivalent of termites—who forsake procreation in order to help their chosen monarch, to the carnivorous spadefoot toad tadpole who can actually "taste" relatedness and therefore spits out cousins and brothers—but not strangers—who find themselves ominously in his mouth, relatedness has proved a robust predictor of altruistic behavior. Even cuckoo birds have figured out this metric: they take advantage of other birds' familial instincts by laying their eggs in complete strangers' nests, allowing the tricked parents to shoulder the burden of parenthood. The biologist Stephen Emlen and his group of ecologists and evolutionary modelers at Cornell University have in the past three decades used Hamiltonian logic to make sense of many family dramas of love and deception in the animal world, and the general rule seems to hold: the closer the kin, the greater the benevolence. The fact that stepchildren are much more likely to be abused by their parents than biological children has been used by some to argue that the genetic logic of relatedness has left its fingerprint, real and tragically unforgiving, on unsuspecting but culpable humankind: man and tadpole might not be as distant as we imagine.

But reciprocal altruism between nonkin in nature has proved more difficult to establish. For one thing, helpers might actually be related more often than Trivers and others suspected, rendering "reciprocal altruism" nothing but a looser version of Hamiltonian kin selection. (This now seems to be the case, for example, with blood-sharing bats.) Another problem seems to be that behaviors once interpreted as selfless assistance (baboons grooming each other's backs for fleas) may actually just be a form of mutualism (the baboons gain valuable nourishment from eating their friends' pests). Yet another thorn in the side of the you-scratch-my-back-I'll-scratch-yours theory comes courtesy of Oscar Wilde. "I can resist everything but temptation," he is said to have quipped, and most animals, experiments show, are not all that different. Immediate gratification is the custom of even the most intelligent and social of mammals, and it is hardly the best path to establish the courtly conventions that serve as requisites for reciprocal restraint. Finally, a competing theory called the "handicap principle," espoused by the Israeli zoologist Amotz Zahavi, argues that animals who perform ostensible acts of sacrifice are actually advertising the fact that they can afford to do so—a sign of their strength and endurance. Thus, when a gazelle spots a lion lurking in the grass and begins to jump up and down six feet into the air, what may seem like a selfless warning to her friends is actually a signal to the lion that he should focus his pursuit on a member of the troop less athletic and therefore more likely to end up in his palate. A male peacock sporting a gigantic colorful tail, or a bull elk showing off its large rack of antlers, may be signaling to potential mates not to look any further, that they are stronger precisely because they carry a hindrance that would handicap a lesser fellow. Yet recent studies have called some of the data supporting the handicap principle into question, and "reciprocal altruism," where it exists, seems to be circumscribed to just a few highly social mammals. If kindness exists in nature, it is almost certain to be bestowed on kin.

Not so in humans. As if we really needed them to do so, clever scientists at respectable institutions now use $20 bills and "donating experiments" to teach us that many people cooperate with others even when it is absolutely clear that they have nothing to gain. This may not be all that surprising if one considers how valuable regard, and its more subtle sibling self-regard, may be to human beings. But why should this be so? The economist Robert Frank proposed that it all comes down to trust: to do well in life, our simian and hunter-gatherer ancestors needed to forsake the short-term temptation of self-interest, since they lived in small, mutually dependent groups. Emotions, or what used to be called moral sentiments, helped to solve such conflicts by establishing commitment ("I love you, and won't leave you") and eliciting reciprocity ("I love you, love me back!"). Life is finally a game in which one seeks trusted partners to play with, so altruistic acts are the price we pay—our "handicap"—for having what amount to self-interested emotions. According to this view, we have the capacity for goodness for no other reason than that it helps us join hands with other virtuous sorts to everyone's mutual advantage.

This may help to explain why we are so good at detecting cheaters. A number of clever experiments suggest that this is in fact a cognitive bias: we are better at solving logical riddles that have to do with exposing swindlers in real-life situations than we are at solving the very same riddles when they remain abstract. So perhaps a sense of fairness really is a part of our biology. Reciprocal good faith seems to require policing, which may in the end, be the source of our capacity for justice. A recent study by Ernst Fehr shows how the size of the group in which reciprocal altruism becomes possible can be increased if cheaters are punished. (The problem this helps to solve is that the larger the group, the easier it is for cheaters to slip through the cracks.) The group can grow larger still if not only cheaters are punished, but also people who do not

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punish cheaters, and so forth. So as the group size of monkeys and then humans grew from tens to hundreds and then to thousands, mechanisms evolved to safeguard cohesion. Today, scientists tell us, we choose to call such mechanisms morality, justice, conscience—august ascriptions that are really just culture's words for biological instincts.

A recent study takes this kind of argument one step further. The neuroscientists Jorge Moll and Jordan Grafman placed volunteers in a functional MRI unit and asked them to imagine either donating a sum of money to charity or keeping it for themselves. They found that thoughts of generosity activated a primitive part of the brain that lights up with reference to food and sex—a result interpreted by them to mean that altruism is as hard-wired into our brains as our most primitive and basic functions. The psychologist Marc Hauser claims that his research proves that all over the world people process ethical dilemmas in very similar ways, suggesting that the capacity for moral judgment, like language, should be thought of as intrinsic to our brain, rather than a product of our culture. All this kind of science, much of it still woefully "soft" but nonetheless suggestive, is a far cry from the moral transcendence that Thomas Huxley had in mind when he spoke of mankind's need for "combating" the "cosmic process." One can only wonder what Darwin would have made of it.

But how strong a grip should the biological approach to morality have on our own imaginations? To begin with, we can agree that Kropotkin got it backward by searching for reciprocity in nature in order to urge it upon civilization. Reciprocal relations define the human condition, and real charity may in fact be a uniquely human invention. Hobbes was right that we are out for ourselves, but Rousseau was not wrong that harmony and progress are possible without government. Self-seeking can produce genuine and true benevolence, and, it would seem, there are compelling reasons from evolution to believe that this all began in nature. So Kropotkin and Huxley both held a piece of the truth.

As for Hamiltonian kin-selection logic, it is often attacked on the grounds that it implies genetic determinism. The notion that genes are running the show does not comport well with our self-important conscience—nor, in truth, with our healthy intuitions about reality. But this is not the best way to safeguard human free will from the threat of biological necessity, for two very important reasons. First, when Hamilton spoke of genes for altruism, he was really using a shorthand for genes that increase the probability that their bearers will behave altruistically. So long as such behaviors have a genetic component, Hamilton's theory applies. Despite the incautious remarks of scientists (and, more often, science writers), this does not imply that a behavior is determined, and it is entirely compatible with culture and education playing a central, even exclusive role. There may be no behavior in humans that, strictly speaking, has no genetic component, but this is a world away from saying that our genes determine who we are and what we choose. Natural selection based on *cultural* variation has produced behaviors that have nothing directly to do with genes.

The second reason is that many human behaviors clearly have absolutely nothing to do with natural selection in the narrow biological sense. For the biologist, the consequences of an action for reproductive fitness are what determine whether the action counts as altruistic, not the intentions with which the action is performed. Psychological, or "true," altruism is independent from the kind of altruism that confers fitness on its bearer. Helping an elderly lady across the street can hardly affect her fitness, while selfishly snubbing her grandson could lead—who knows?—to his decision to have children who will exact revenge on you someday. Selfishness and altruism in human affairs has nothing to do with tadpoles spitting and mole rats digging and cuckoo birds sneaking eggs into strangers' nests. Kindness is kindness only if it is meant to be so.

We have known this truth for many years. In *The Theory of Moral Sentiments*, Adam Smith wrote that "man possesses the capacities which interest him in the fortune of others, and render their happiness necessary to him, though he derives nothing from it, except the pleasure of seeing it"—and there is no arguing that he was right. So perhaps a more useful way to think of things is to consider that evolution has blessed us with many gifts. What we do with them is our challenge, for together with kindness we were given also the capacities for cruelty, malice, and just pure boredom. If our genetic endowments provide the foundation for both ethical action and unethical action, then our moral life is up to us. There can be no doubt that social life in nature put into place the substrates that would one day allow the birth in humans of something we call our moral sense: the policing against cheaters, the mechanism for conflict resolution, and the capacities for empathy, reciprocity, jealousy, and rage are all way stations on this wondrous evolutionary journey.

This same journey also saw the laying down of the basic needs and compulsions of our species: the desire to be a part of the group, the dependence of young on care, the striving for status, the desire for sex, the motherly instinct, and of course the survival instinct itself. These basic compulsions and necessities are not infinitely pliable, nor should our moral sense ignore them. The fact that goodness may have natural origins—"the so-called moral sense is aboriginally derived from the social instincts," Darwin declared—can, in the wrong hands, be made to be confusing and coarsening, for it tends to produce a mentality that discounts what is not utilitarian in the biological sense. We must resist such scientistic "originalism." Sure, natural disposition plays a part in our decision-making process, but it is hardly our most interesting or our most distinguishing feature—nor can it ever lead directly to the moral imperatives that help define our lives.

Bill Hamilton, in an article in a Japanese insect magazine, asked that, when he died, his body be laid out beneath the canopy of the Brazilian rain forest so that the giant *copropheanaeus* beetle could join hands with its friends to bury him, allowing some, but not all, of the toilers to live off the remains and lay their eggs within his corpse. I guess there was something in Hamilton that wanted to live forever through his beloved "altruistic" beetles. He died tragically in 2000 from malaria contracted during an unfortunate trip to the Congo, which he understood to prove that AIDS was the result of a botched polio vaccination program in the 1950s by avaricious drug companies. In the end, however, he had a conventional burial in Wytham Village. His family wanted him close by. ◆

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Washington Diarist

Smirks

"And I remember one night, wandering around Brooklyn through some semi-slums … not even knowing what I was looking for, but going out, drinking in a bar, sizing up the bar, looking … in those days you actually would go to a bar and look for a woman. … Anyway, I found no woman. I went into an all-night diner—because I realized I was hungry, not only drunk but hungry—and ordered a doughnut and coffee, finished it. Then a voice spoke to me. I think it's one of the very few times I felt God was speaking to me. … This voice spoke to me and said: 'Leave without paying.' It was a minor sum—twenty-five cents for coffee and a doughnut in those days. … I said: 'I can't do it.' And the voice—it was most amused—said, 'Go ahead and do it,' quietly, firmly, laughing at me. So I got up, slipped out of the restaurant, and didn't pay the quarter." This is perhaps the silliest passage I have ever read in the literature of spiritual autobiography, which is a literature of considerable silliness. Its author, the man to whom the Lord spoke from out of the doughnut, who found redemption through sin at Chock full o'Nuts, is Norman Mailer, who recalls it in his primitive new book, *On God: An Uncommon Conversation*. Chock full of nuts, indeed. This is a book that has a kind word for Aleister Crowley. I was not aware that Mailer has "spent the last fifty years trying to contemplate the nature of God," though I am not surprised that he wants in on the God action of the Bush years. If he has been trying, he has been failing. About the victims of the Holocaust, Mailer teaches that "most of those who desired reincarnation received it, but in unsatisfactory fashion." The fool explains: "If populations die at a steady rate with only a statistical spike here and there. … God can receive and judge incoming souls. … [But] when reincarnation is flooded with a huge number of deaths that have no meaning … then they enter reincarnation with less preparation within. … [W]hen the Creator is not functioning at His or Her best … then the choices made for reincarnation can be deemed gross—there's not enough of God to go around. It is a way of saying the Holocaust deadened God's wit."

From this sort of theobabble, who would not rush into the arms of the most delirious atheist? But that is precisely the intellectual curse of the Bush era, this golden age of gangs and mirror images and mutually invigorating militancies. Bush has been very good to atheism. Compared to the obscurantism that is the doctrine of this government, godlessness has come to seem glamorous, and perfectly obvious. Nothing can make you feel more like an outlaw these days than a smirking shot at one of religion's many crudities and excesses. There are many things that may be said against contemporary atheism—against its dogmatism, its self-satisfaction, its evasion of the vast history of godless violence, its philosophical shallowness (when our Filene's Basement Voltaires bother about philosophical argument at all); but I am increasingly struck by the extent to which many of the books against God are mainly psychological expressions. More specifically, a lot of atheism looks to me like just a lot of adolescence. They are always telling you about their parents. They rebel against the false idea that God is the father because they have the false idea that their father is God. (Sometimes the villainous deceiver of young minds who must be deposed is an early teacher, who unaccountably failed to assign *Why I Am Not a Christian* to the second grade.) When it comes to the articulation of one's view of the world, of one's understanding of what is true and false about the universe, who cares what one's parents believe? The answer is, children care; and there is something childish about the freethinker's pouting critique of his own childhood. Atheism can be as infantilizing as theism, an inverted form of captivity to one's origins, as if biological authority confers intellectual authority. *Je n'ai pas besoin de cette hypothèse*. In matters of conviction, we are orphans. And there is also, of course, the boyish thrill of naughtiness, the titillation of sinning, that attends the witticisms against religion. Here is Anatole France on Baudelaire, by way of Edmund Wilson: "In his arrogance he wished to believe that everything he did was important, even his little impurities; so that he wanted them all to be sins that would interest heaven and hell." Religion may confer a preposterous cosmic significance upon the individual, but atheism is the true friend of egotism.

Speaking of smirking, I was watching "Charlie Rose" the other night and there was George Clooney. His fun-loving face has a certain vitiating effect upon his moments of solemnity. Even when it is not winking, it is winking. There he was peddling one of the great hoaxes of American life: the celebrity as moral leader. He reported on a recent mission to China, which he made to reverse Chinese support for the genocidal tyrant in Khartoum. "I took Don Cheadle and a couple of Olympic athletes. … Our argument was to sit there and say, 'We need you, the world needs you.'" That ought to work. And if Beijing remains unmoved, it may be time to send in Bernie Mac. Clooney, Brad Pitt (who remarked last spring that sitting in a room with Angelina Jolie and Marianne Pearl is "like sitting down with Roosevelt and Churchill—only much better-looking"), Matt Damon, Cheadle and others have started an organization to help "stop and prevent mass atrocities," called Not On Our Watch. *Their* watch? They are mere movie stars. Just as philanthropy should not be regarded as sufficient for social policy, celebrity should not be regarded as sufficient for foreign policy. The attention that Clooney can focus on Darfur is certainly useful, though I suspect that it passes quickly, since fandom is not a form of political action. Clooney is plainly an intelligent person, even if he may not be, as one human rights activist described him, "smarter than any politician I've dealt with on this issue," which is anyway faint praise; and it is nice to see Danny Ocean giving back. But I must insist that one of the many wonderful things about Cary Grant was that he never believed he could get Mussolini out of Abyssinia.

Leon Wieseltier

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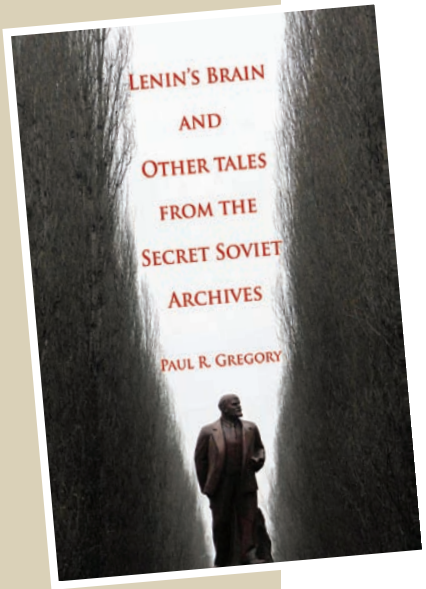

Lenin's Brain and Other Tales from the Secret Soviet Archives

PAUL R. GREGORY

The opening of the once-secret Soviet state and party archives in the early 1990s proved to be an event of exceptional significance. When Western scholars broke down the official wall of secrecy that had stood for decades, they gained access to intriguing new knowledge they had previously only been able to speculate about. In this fascinating volume, Paul Gregory takes us behind the scenes and into the archives to illuminate the dark inner workings of the Soviet Union.

He reveals a wealth of new information on such topics as the secret scientific study of Lenin's brain, Stalin's Great Terror, the day-to-day life of Gulag guards, Lenin's purge of intellectuals, the harsh features of Stalin's criminal justice system, the true story behind the Soviet invasion of Afghanistan, and other previously repressed tales.

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November 2007, 250 pages
ISBN: 978-0-8179-4811-5
$25.00, cloth

ISBN: 978-0-8179-4812-2
$15.00, paper

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